

APPENDIX

STANDING COMMITTEE
REPORTS

The following Committees have filed favorable reports on bills and resolutions, as follows:

Constitutional Amendments: House House Joint Resolution Nos. 32 and 35.

State Affairs: Senate Bill No. 5; House Concurrent Resolution Nos. 92 and 104.

The Committee on Penitentiaries filed an adverse report with minority favorable report on House Bill No. 641.

REPORTS OF THE COMMITTEE
ON ENGROSSED BILLS

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 875, A bill to be entitled "An Act to amend Article 5221-b, Vernon's Annotated Statutes of Texas, as amended, by adding a new section to be known as Section 8-A; defining certain additional terms; making provisions with reference to the authority of the Unemployment Compensation Commission to make reasonable rules and regulations regarding seasonal workers; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 30, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 107, Authorizing the Enrolling Clerk of the House of Representatives to correct House Bill No. 8 by changing the word "entire" to "invested" where used incorrectly in the Van Zandt Senate amendment.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 30, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 969, A bill to be entitled "An Act providing that the closed season on fishing in Blanco County shall be during the months of February, March and April; repealing all laws or parts of laws in conflict with this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

SIXTY-FIFTH DAY

(Thursday, May 1, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Hon. G. H. Little of Potter County.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Craig
Allen	Crossley
Allison	Crothwait
Alsup	Daniel
Anderson	Davis
Avant	Deen
Bailey	Dickson of Bexar
Baker	Dickson of Nolan
Bean	Donald
Bell	Duckett
Benton	Dwyer
Blankenship	Ellis
Boone	Eubank
Bray	Evans
Bridgers	Favors
Brown	Ferguson
Bruhl	Files
Bullock	Fuchs
Bundy	Gandy
Burkett	Garland
Burnaman	Gilmer
Carlton	Goodman
Carrington	Halsey
Cato	Hanna
Celaya	Hardeman
Chambers	Hargis
Clark	Harris of Dallas
Cleveland	Harris of Hill
Coker	Hartzog
Colson, Mrs.	Heflin
Connelly	Helpinstill

Henderson	Montgomery
Hileman	Moore
Hobbs	Morgan
Howard	Morris
Howington	Morse
Hoyo	Murray
Huddleston	Pace
Huffman	Parker
Hughes	Pevehouse
Humphrey	Phillips
Hutchinson	Price
Isaacks	Rampy
Jones	Reed of Bowie
Kelly	Reed of Dallas
Kennedy	Ridgeway
Kersey	Rhodes
Kinard	Roark
King	Roberts
Klingeman	Sallas
Knight	Senterfitt
Lansberry	Sharpe
Lehman	Shell
Leyendecker	Simpson
Little	Skiles
Lock	Smith of Bastrop
Love	Smith of Atascosa
Lowry	Spacek
Lucas	Spangler
Lyle	Stanford
McAlister	Stinson
McCann	Stubbs
McDonald	Taylor
McGlasson	Thornton
McLellan	Turner
McMurry	Vale
McNamara	Voigt
Manford	Walters
Manning	Wattner
Markle	Weatherford
Martin	White
Matthews	Whitesides
Mills	Winfree

Absent—Excused

Brawner	Fitzgerald
Dove	Nicholson

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, Thy Word and our own experiences prove to us Thy mercy and Thy loving kindness. It is written, 'Blessed is the nation whose God is Jehovah.' May we not close our eyes to Thee, nor forget that unto Thee we are accountable for the actions of life. Help us to be earnest and true in meeting our responsibilities day by day. In Jesus' name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Fitzgerald for today on motion of Mr. Crosthwait.

Mr. Donald temporarily for today on motion of Mr. Hobbs.

Mr. Nicholson for today on motion of Mr. Burkett.

Mr. Dove for today on motion of Mr. Huddleston.

Mr. Bell for today on motion of Mr. Skiles.

The following Members were granted leaves of absence on account of illness:

Mr. Brawner for today on motion of Mr. Mills.

Mr. Morgan temporarily for today on motion of Mr. Eubank.

BILL RECOMMENDED

Mr. Alsup moved that House Bill No. 297 be recommitted to the Committee on Appropriations.

The motion prevailed.

Mr. Isaacks moved to reconsider the vote by which the bill was recommitted.

Mr. Alsup moved to table the motion to reconsider.

The motion to table prevailed.

BILLS RE-REFERRED

Mr. Donald moved that House Bill No. 507 be withdrawn from the Committee on Commerce and Manufactures and referred to the Committee on Agriculture.

Mr. Davis moved to table the motion by Mr. Donald.

The motion to table was lost.

Mr. Harris of Dallas moved as a substitute motion that House Bill No. 507 be withdrawn from the Committee on Commerce and Manufactures and referred to the Committee on State Affairs.

On motion of Mr. Donald, the substitute motion by Mr. Harris of Dallas was tabled.

Question then recurring on the motion by Mr. Donald that House Bill No. 507 be re-referred to the Committee on Agriculture, it prevailed.

Mr. Donald moved to reconsider the vote by which the motion to re-refer prevailed and to table the motion to reconsider.

The motion to table prevailed.

Mr. Baker moved that House Bill No. 964 be withdrawn from the Committee on State Affairs and referred to the Committee on Appropriations.

The motion prevailed.

Mr. Alsup moved that House Bill No. 333 be withdrawn from the Committee on Judiciary and Uniform State Laws and referred to the Committee on Appropriations.

The motion prevailed.

MOTION TO RE-REFER

Mr. Hileman moved that House Bill No. 127 be withdrawn from the Committee on State Affairs and referred to the Committee on Privilege, Suffrage and Elections.

On motion of Mr. Eubank, the motion by Mr. Hileman was tabled.

(Speaker in the Chair.)

MOTION TO PRINT HOUSE BILL NO. 641 ON MINORITY REPORT

Mr. Turner moved that House Bill No. 641, reported adversely with a minority favorable report, be printed.

On motion of Mr. Phillips, the motion by Mr. Turner was tabled.

MESSAGE FROM THE SENATE

Austin, Texas, May 1, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted:

S. C. R. No. 46, Be it Resolved by the Senate of Texas, the House of Representatives concurring, that the Senate recede from the amendments adopted by the Senate to House Bill No. 373, and declare said House Bill

No. 373 to have passed the Senate in the same form in which it was received by the Senate from the House, and that the Enrolling Clerk of the House be instructed to enroll House Bill No. 373 in the form in which it passed the House.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECALLING HOUSE CONCURRENT RESOLUTION NO. 101 FROM THE SENATE

Mr. Celaya offered the following resolution:

H. S. R. No. 242, Recalling House Concurrent Resolution No. 101 from the Senate.

Whereas, House Concurrent Resolution No. 101 by Chambers, was introduced in the House of Representatives on April 24, 1941; and

Whereas, The same was referred to the Committee on State Affairs and passed out by said committee without a hearing since it was assumed that it was a routine resolution to sue the State and no public hearing was held on the same; and

Whereas, Said Resolution No. 101 was passed by the House of Representatives on the 28th day of April, 1941, and sent to the Senate, it being adopted without discussion; and

Whereas, The House of Representatives desires to recall said resolution from the Senate for further consideration and hearing.

Now, Therefore, Be It Resolved by the House of Representatives, That the Senate be requested to grant the request of the House of Representatives for the return of H. C. R. No. 101.

CELAYA,
BELL.

The resolution was read second time and was adopted.

INVITING HONORABLE H. R. KNICKERBOCKER, JR., TO ADDRESS THE HOUSE

Mr. Taylor offered the following resolution:

H. S. R. No. 243, Inviting Honorable H. R. Knickerbocker, Jr., to address the House.

Whereas, The Honorable H. R. Knickerbocker, Jr., distinguished war correspondent of international reputation, native Texan and product of Southwestern University is now in Dallas, and

Whereas, He is one of the best informed men in the world on the present ominous situation that confronts America and all Christian civilization having been an eye witness of many of the most important events in the recent history and has achieved renown as speaker on the questions that all of us are asking, and

Whereas, The Texas Legislature is desirous of hearing from such a person the frank and free discussion of the perils that beset us,

Now, Therefore, Be It Resolved, That the Honorable H. R. Knickerbocker, Jr., be and hereby is invited to speak to the House of Representatives at a date convenient to him.

The resolution was read second time and was adopted.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

Austin, Texas, April 29, 1941.

To the Members of the House of Representatives of the Forty-seventh Legislature:

I have vetoed and I return to you herewith House Bill No. 286. I have disapproved this bill for the following reasons:

All of the subject matter of this bill which deals with the purpose of the legislation is included in Section 1, and I quote Section 1:

"Section 1. That it shall be unlawful for any employer of labor to make, adopt, or enforce any rule, regulation, or policy forbidding or preventing any employee from seeking or holding public office, or discriminating against any employee called into the military service of the United States, and it shall be the duty of such employer, upon fifteen (15) days' written notice by an employee of his being called into military service, or of his intention to seek or hold public office, to grant such employee a leave of absence without the loss of any contractual

and/or seniority rights to which he was entitled as an employee, for the duration of said military service, or campaign, without pay, and if duly elected, or appointed to public office, for the term thereof, provided that such employee is not incapacitated during said leave of absence."

Insofar as employees entering military service is concerned, this bill does not grant them any rights which they do not already have, as a matter of fact it restricts the right of employees going into military service in one particular in that the provisions of this bill require employees who are called into military service to give the employer fifteen days' written notice whereas under the Federal law governing such employees, they are not required to give any notice.

Of course, all of us favor protecting all employees who are called into military service in all of their rights, but this protection has already been granted. Public Resolution No. 96, approved August 27, 1940, and Public Resolution No. 783, approved August 16, 1940, carry among other provisions the following protection for all employees called into military service:

"(1) The employee is not required to give notice to his employer of a call to military service.

"(2) Upon completion of service he must be restored to his former employment or similar employment if he makes application within forty days and is still qualified to perform the duties of his position.

"(3) After reemployment he shall not be discharged without cause within one year.

"(4) He shall be considered as having been furloughed or on leave of absence.

"(5) He does not lose seniority.

"(6) He is entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on furlough or leave of absence.

"(7) The United States District Attorney is required by law to act as the employee's attorney in enforcing these rights in the Federal District Court and no fees or court costs shall be charged against the employee in such a suit.

"(8) The District Court may order his employer to compensate him for loss of wages or benefits by reason of his employer's failure to meet the requirements of the Federal law.

"(9) The Director of Selective Service is ordered to establish a personnel division to aid in returning to civil life all persons when they have completed their military service.

"(10) The employee's right to vote in person or by absentee ballot is preserved in the state of his residence in any election in which he is entitled to vote by the laws of his state.

"(11) He is protected from the loss of property and insurance and his family is protected from ejection for non-payment of rent if the court finds that the difficulties of the employee are due to his military service.

"(12) Under provisions of the National Service Life Insurance Act of 1940, he is provided with special government life insurance.

It will be seen, therefore, that all persons entering military service now have every protection which House Bill No. 286 seeks to extend and, in fact, far greater protection than under provisions of House Bill No 286.

It is not difficult to understand, however, that unless the matter were carefully examined this bill would leave the impression that its object was to grant protection to employees called into military service, but in light of all the facts, it is obvious that it will accomplish no such purpose.

What this bill would do, if enacted into law, would be to require every employer in Texas if he received written notice from an employee that he wanted to become a candidate for public office, to grant that employee a leave of absence for such time as it would be necessary for the employee to make a campaign, and if the employee were elected, to continue such leave for as many years as the employee might be holding public office or be a candidate for some public office, then at the end of this time, to return the employee to his former position without any loss of seniority.

It is obvious that the greatest hardship which this bill would inflict would be on the smallest employers.

The bill, however, is indefensible with reference to all employees.

The fact of the business is that any employee in Texas or any employer in Texas, with the law as it stands today, may become a candidate for public office if he wants to, but if he does become a candidate, he would have to decide to do like the farmer would do if he decided he wanted to be a candidate: he will have to run for the office and if he is elected, fill it, and then go back to the job he left or find a new one. And certainly this is as it should be.

I am in full accord with all of the provisions of the Federal law which grants protection to employees who are called into the military service because these employees have no option in the matter, they are simply answering their country's call and regardless of the salary they now earn, they go on the Government's payroll at \$21.00 per month. But when it comes to writing into the law of this State a provision that any politician who feels the urge to run for public office or to accept an appointment to public office, shall be carried indefinitely on the payroll of his employer and be entitled to have all his seniority rights protected and return to the job when and if he decides to return, is an entirely different question and to my mind such a law would be bad from every standpoint.

Respectfully submitted,

W. LEE O'DANIEL,
Governor of Texas.

NOTICE GIVEN

Mr. Hughes gave notice that he would, on the next legislative day, move to take up for consideration at that time House Bill No. 627 which bill was heretofore laid on the table subject to call.

MESSAGE FROM THE SENATE

Austin, Texas, May 1, 1941.

Hon. Homer Leonard, speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 56, Appointing a committee of six (6) members of the

State Legislature to investigate the feasibility and probable cost of fire-proofing the State Land Office Building.

Senate has concurred in House amendments to Senate Bill No. 11 by the following vote: Yeas 28, nays 0.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 454 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 454, A bill to be entitled "An Act creating and providing for a Merit System Council; defining certain terms; providing qualifications for members of the Council and for their terms of office; providing for the Council's organization and meetings, and the compensation of members, providing its duties and powers; permitting State agencies to expend State and Federal funds for services rendered by the Merit System Council; appropriating Federal funds for use for the purposes for which they were granted; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The bill having heretofore been read second time.

Mr. McNamara offered the following amendment to the bill:

Amend House Bill No. 454 by striking out all of Section 8 on page 4.

Mr. Walters moved to table the amendment.

The motion to table was lost.

Question then recurring on the amendment by Mr. McNamara, it was adopted.

Mr. McNamara offered the following amendment to the bill:

Amend House Bill No. 454 by adding a new paragraph to Section 6 to be known as (b) after paragraph (a), to read as follows:

"The Social Security Board shall

exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 454 was then passed to engrossment.

HOUSE BILL NO. 454 ON THIRD READING

Mr. Walters moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 454 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Allison	Files
Alsup	Gandy
Anderson	Garland
Avant	Hanna
Baker	Hargis
Bean	Harris of Dallas
Benton	Harris of Hill
Blankenship	Hartzog
Bray	Helpinstill
Bridgers	Henderson
Bruhl	Hileman
Bullock	Howard
Bundy	Hoyo
Carlton	Huffman
Carrington	Hughes
Cato	Humphrey
Clark	Hutchinson
Cleveland	Isaacks
Coker	Kelly
Colson, Mrs.	Kersey
Connelly	Kinard
Craig	Knight
Daniel	Lehman
Deen	Little
Dickson of Bexar	Lock
Dickson of Nolan	Love
Duckett	Lucas
Dwyer	Lyle
Ellis	McAlister
Eubank	McCann
Evans	McDonald
Favors	McGlasson
Ferguson	McLellan

McMurry	Roberts
McNamara	Sallas
Manford	Senterfitt
Manning	Sharpe
Markle	Shell
Martin	Skiles
Matthews	Smith of Bastrop
Montgomery	Smith of Atascosa
Moore	Spacek
Morris	Stanford
Morse	Stinson
Murray	Taylor
Parker	Turner
Pevehouse	Vale
Phillips	Walters
Price	Wattner
Reed of Bowie	White
Reed of Dallas	Whitesides
Roark	Winfree

Nays—22

Allen	Kennedy
Bailey	Lansberry
Burnaman	Leyendecker
Crosthwait	Mills
Davis	Pace
Fuchs	Rampy
Hardeman	Rhodes
Heflin	Spangler
Hobbs	Stubbs
Howington	Voigt
Jones	Weatherford

Absent

Boone	Goodman
Brawner	Halsey
Burkett	Huddleston
Celaya	King
Chambers	Klingeman
Crossley	Lowry
Donald	Ridgeway
Dove	Simpson
Gilmer	Thornton

Absent—Excused

Bell	Morgan
Brown	Nicholson
Fitzgerald	

The Speaker then laid House Bill No. 454 before the House on third reading and final passage.

The bill was read third time.

Mr. Alsup offered the following amendment to the bill:

Amend House Bill No. 454, page 3, lines 37 and 38, by striking out the words and figures "Six Thousand (\$6,000) Dollars" and inserting in

lieu thereof the words and figures "Four Thousand (\$4,000) Dollars."

Mr. Reed of Bowie offered the following substitute for the amendment by Mr. Alsup:

Amend House Bill No. 454, page 3, lines 37 and 38, by striking out words and figures "six thousand (\$6,000.00) dollars" and inserting in lieu thereof words and figures "three thousand and six hundred (\$3,600.00) dollars."

Question recurring on the substitute amendment by Mr. Reed of Bowie, it was lost.

Question then recurring on the amendment by Mr. Alsup, it was adopted by the following vote:

Yeas—81

Allen	Hughes
Allison	Hutchinson
Alsup	Isaacks
Anderson	Jones
Avant	Kelly
Bailey	Kinard
Benton	King
Blankenship	Knight
Brawner	Lansberry
Bridgers	Lehman
Bruhl	Leyendecker
Bundy	Little
Burkett	Lucas
Burnaman	McCann
Carrington	McDonald
Cato	McGlasson
Chambers	McLellan
Clark	McNamara
Cleveland	Manning
Craig	Matthews
Davis	Mills
Deen	Montgomery
Donald	Murray
Duckett	Pace
Ellis	Parker
Evans	Phillips
Favors	Price
Ferguson	Reed of Bowie
Fuchs	Ridgeway
Gandy	Rhodes
Halsey	Roark
Harris of Dallas	Senterfitt
Harris of Hill	Sharpe
Heflin	Smith of Atascosa
Hileman	Spacek
Hobbs	Spangler
Howington	Stanford
Huddleston	Stubbs
Huffman	Turner

Vale	White	Bruhl	Lansberry
Voigt		Bundy	Lehman
	Nays—36	Burkett	Leyendecker
Baker	Lyle	Cato	Little
Bean	McMurry	Chambers	Lock
Bray	Manford	Clark	Lowry
Bullock	Markle	Cleveland	Lucas
Carlton	Moore	Connelly	McCann
Coker	Morris	Craig	McDonald
Connelly	Morse	Crossley	McGlasson
Crosthwait	Reed of Dallas	Crosthwait	McLellan
Daniel	Roberts	Daniel	McMurry
Dickson of Bexar	Sallas	Davis	McNamara
Hargis	Skiles	Deen	Martin
Helpinstill	Smith of Bastrop	Duckett	Matthews
Humphrey	Stinson	Dwyer	Mills
Kennedy	Taylor	Ellis	Montgomery
Klingeman	Thornton	Eubank	Moore
Lock	Walters	Evans	Murray
Love	Weatherford	Favors	Pace
Lowry	Whitesides	Files	Parker
		Fuchs	Phillips
		Halsey	Price
		Hanna	Rampy
		Hardeman	Reed of Bowie
		Hargis	Reed of Dallas
		Harris of Dallas	Ridgeway
		Harris of Hill	Rhodes
		Heflin	Roark
		Helpinstill	Roberts
		Henderson	Senterfitt
		Hileman	Sharpe
		Hobbs	Smith of Atascosa
		Howington	Spacek
		Hoyo	Stanford
		Huddleston	Stubbs
		Hughes	Turner
		Hutchinson	Vale
		Jones	Voigt
		Kersey	Wattner
		King	Weatherford
		Klingeman	Winfree
		Knight	
			Nays—24
		Bean	Lyle
		Bullock	Manford
		Carlton	Markle
		Carrington	Morris
		Coker	Morse
		Dickson of Bexar	Simpson
		Donald	Skiles
		Ferguson	Smith of Bastrop
		Gandy	Taylor
		Humphrey	Thornton
		Kennedy	Walters
		Love	Whitesides
			Absent
		Anderson	Brown
		Baker	Burnaman
		Brawner	Celaya

Colson, Mrs.	Kelly
Dickson of Nolan	Kinard
Dove	McAlister
Garland	Manning
Gilmer	Pevehouse
Goodman	Sallas
Hartzog	Shell
Howard	Spangler
Huffman	Stinson
Isaacks	White

Absent—Excused

Bell	Morgan
Fitzgerald	Nicholson

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 454 was then passed by the following vote:

Yeas—127

Allen	Favors
Allison	Ferguson
Alsup	Files
Anderson	Fuchs
Avant	Gandy
Bailey	Halsey
Baker	Hanna
Bean	Hardeman
Benton	Hargis
Blankenship	Harris of Dallas
Brawner	Harris of Hill
Bray	Hartzog
Bridgers	Heflin
Brown	Helpinstill
Bullock	Henderson
Burkett	Hileman
Carlton	Hobbs
Carrington	Howington
Cato	Hoyo
Chambers	Huddleston
Clark	Huffman
Cleveland	Hughes
Coker	Humphrey
Colson, Mrs.	Hutchinson
Connelly	Isaacks
Craig	Jones
Crossley	Kelly
Crosthwait	Kennedy
Daniel	Kersey
Davis	King
Deen	Klingeman
Dickson of Bexar	Knight
Dickson of Nolan	Lansberry
Duckett	Lehman
Ellis	Leyendecker
Eubank	Little
Evans	Lock

Love	Reed of Bowie
Lowry	Reed of Dallas
Lucas	Ridgeway
Lyle	Rhodes
McAlister	Roark
McCann	Roberts
McDonald	Sallas
McGlasson	Senterfitt
McLellan	Sharpe
McMurry	Shell
McNamara	Simpson
Manford	Skiles
Manning	Smith of Bastrop
Markle	Smith of Atascosa
Martin	Spacek
Matthews	Stanford
Mills	Stubbs
Moore	Taylor
Morris	Turner
Morse	Voigt
Murray	Walters
Pace	Wattner
Parker	Weatherford
Pevehouse	White
Phillips	Whitesides
Price	Winfree
Rampy	

Absent

Boone	Gilmer
Bruhl	Goodman
Bundy	Howard
Burnaman	Kinard
Celaya	Montgomery
Donald	Spangler
Dove	Stinson
Dwyer	Thornton
Garland	Vale

Absent—Excused

Bell	Morgan
Fitzgerald	Nicholson

AUTHORIZING CERTAIN CORRECTIONS IN HOUSE BILL NO. 8

Mr. Morris offered the following resolution:

H. C. R. No. 110, Authorizing certain corrections in House Bill No. 8.

Whereas, House Bill No. 8 has passed the House and the Senate; and

Whereas, A Senate Amendment amends Subsection (h), Section 1, Article XIX, and inadvertently contains the following sentence:

"The said term shall also include any transaction whereby the possession of said products is transferred but the seller retains title

as security for the payment of the price or consideration due for such products"; and

Whereas, The House Mimeographed Copy of Senate Amendment No. 61 to House Bill No. 8 contains certain ambiguous language, which if clarified will avoid confusion in the enforcement of such tax; and

Whereas, This Section should be corrected; and

Whereas, These said corrections are as follows:

In the third paragraph of the House Mimeographed Copy of Senate Amendment No. 61, Line 3, insert the word "like" after the word "of" and before the word "gas"; and by the insertion of the word "natural" in Line 6 after the word "sour" and before the word "gas"; and by the insertion of the word "natural" in Line 8 after the word "sour" and before the word "gas";

In Paragraph 4 of Section 1 of the House Mimeographed Copy of Senate Amendment No. 61, the word "taxable" in Line 9, after the word "the" and before the word "value"; and by the insertion of the word "gross" in Line 10, after the word "the" and before the word "value"; and by the insertion of the words "all products" in lieu of the words "the products" in Line 10;

In Paragraph 5 of Section 1, Line 3, of the House Mimeographed Copy of Senate Amendment No. 61, by inserting the words "in determining the taxable value" in lieu of the words "for the sale"; and

By striking out the period at the end of Paragraph 7 of Section 1 of the House Mimeographed Copy of Senate Amendment No. 61 and adding the following words:

"as levied by Article I of this Act"; and

Whereas, It is necessary in addition to these corrections to appropriate sufficient monies for the administration and collection of the taxes levied in House Bill No. 8; now

Therefore be it Resolved by the House of Representatives, The Senate concurring, That the enrolling clerk of the House of Representatives be and is hereby instructed to make the above corrections, insertions and deletion; and

Be it further Resolved by the

House of Representatives, The Senate concurring, That the enrolling clerk be and is hereby instructed to insert in House Bill No. 8 immediately after Article XX the following new section to be known as Section 3 to read as follows:

"There is hereby appropriated out of any monies in the General Revenue Fund in the State Treasury not otherwise appropriated the sum of Twenty-five Thousand (\$25,000) Dollars, or so much thereof as may be necessary for the use of the Comptroller of Public Accounts for the enforcement and administration of this Act, providing the unexpended balance of such appropriation shall revert to the General Fund after August 31, 1941.

The resolution was read second time and was adopted, by the following vote:

Yeas—125

Allen	Ellis
Allison	Evans
Alsup	Ferguson
Anderson	Files
Avant	Fuchs
Bailey	Gandy
Baker	Goodman
Bean	Hanna
Bell	Hardeman
Benton	Hargis
Blankenship	Harris of Dallas
Boone	Harris of Hill
Brawner	Hartzog
Bray	Heflin
Bridgers	Helpinstill
Brown	Henderson
Bruhl	Hileman
Bullock	Hobbs
Bundy	Howard
Burkett	Howington
Burnaman	Huddleston
Carlton	Huffman
Carrington	Hughes
Cato	Humphrey
Chambers	Hutchinson
Clark	Isaacks
Cleveland	Jones
Coker	Kelly
Colson, Mrs.	Kennedy
Connelly	Kersey
Craig	Kinard
Crossley	King
Crosthwait	Klingeman
Daniel	Knight
Davis	Lansberry
Deen	Lehman
Duckett	Leyendecker

Little	Ridgeway
Lock	Rhodes
Love	Roark
Lowry	Roberts
Lyle	Sallas
McAlister	Senterfitt
McCann	Sharpe
McGlasson	Shell
McLellan	Skiles
McMurry	Smith of Bastrop
McNamara	Smith of Atascosa
Manford	Spacek
Manning	Spangler
Markle	Stanford
Martin	Stinson
Matthews	Stubbs
Moore	Taylor
Morris	Turner
Morse	Vale
Murray	Voigt
Pace	Walters
Parker	Wattner
Phillips	Weatherford
Price	White
Reed of Bowie	Whitesides
Reed of Dallas	

Nays—4

Dickson of Bexar	Mills
Favors	Simpson

Absent

Celaya	Hoyo
Dickson of Nolan	Lucas
Donald	McDonald
Dove	Montgomery
Dwyer	Pevehouse
Eubank	Rampy
Garland	Thornton
Gilmer	Winfree
Halsey	

Absent—Excused

Fitzgerald	Nicholson
Morgan	

SPECIAL ORDER SET

Mr. Lehman moved that House Bill No. 853 be set for special order at 11:00 o'clock a. m. tomorrow.

The roll of the House was called and the vote announced, as follows: Yeas, 93; nays, 43.

A verification of the vote was requested.

Mr. Simpson moved a call of the House for the purpose of maintaining a quorum pending the verification and the call was not seconded.

The roll of the "yeas" and "nays" was again called and the verified vote resulted, as follows:

Yeas—89

Allen	Lehman
Anderson	Leyendecker
Avant	Lock
Benton	Lucas
Blankenship	Lyle
Brawner	McAlister
Brown	McCann
Bruhl	McDonald
Bundy	McGlasson
Celaya	McLellan
Clark	McNamara
Cleveland	Manning
Colson, Mrs.	Markle
Craig	Martin
Crosthwait	Matthews
Daniel	Montgomery
Davis	Moore
Deen	Morris
Duckett	Murray
Dwyer	Pace
Ellis	Phillips
Ferguson	Price
Files	Reed of Bowie
Fuchs	Reed of Dallas
Gandy	Rhodes
Gilmer	Roark
Goodman	Roberts
Hardeman	Sallas
Hargis	Sharpe
Harris of Hill	Simpson
Hartzog	Skiles
Heflin	Smith of Bastrop
Helpinstill	Spacek
Henderson	Spangler
Hileman	Stanford
Hobbs	Stinson
Howard	Stubbs
Huddleston	Taylor
Huffman	Thornton
Hutchinson	Turner
Jones	Voigt
Kennedy	Weatherford
Kinard	White
Klingeman	Whitesides
Knight	

Nays—44

Allison	Carlton
Alsup	Carrington
Bailey	Cato
Baker	Chambers
Bean	Coker
Boone	Connelly
Bray	Dickson of Bexar
Bridgers	Eubank
Bullock	Evans
Burkett	Favors

Halsey	Love
Hanna	Lowry
Harris of Dallas	Manford
Howington	Mills
Hoyo	Morse
Hughes	Parker
Isaacks	Rampy
Kelly	Ridgeway
Kersey	Senterfitt
King	Smith of Atascosa
Lansberry	Walters
Little	Wattner

Absent

Burnaman	Humphrey
Crossley	McMurry
Dickson of Nolan	Pevehouse
Donald	Shell
Dove	Vale
Garland	Winfree

Absent—Excused

Bell	Morgan
Fitzgerald	Nicholson

The Speaker announced that the motion by Mr. Lehman to set House Bill No. 853 for special order at 11:00 o'clock a. m. tomorrow prevailed.

Mr. Gilmer moved to reconsider the vote by which House Bill No. 853 was set for special order.

Mr. Lehman moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—85

Allen	Davis
Anderson	Deen
Avant	Dickson of Nolan
Benton	Dove
Blankenship	Duckett
Brawner	Dwyer
Brown	Ellis
Bruhl	Ferguson
Bundy	Files
Celaya	Fuchs
Clark	Gandy
Cleveland	Goodman
Colson, Mrs.	Hargis
Craig	Harris of Hill
Crossley	Hartzog
Crothwait	Heflin
Daniel	Helpinstill

Henderson	Pace
Hileman	Pevehouse
Howard	Phillips
Huddleston	Price
Hutchinson	Reed of Bowie
Jones	Reed of Dallas
Kennedy	Rhodes
Kinard	Roark
Klingeman	Roberts
Knight	Sallas
Lehman	Sharpe
Leyendecker	Shell
Lock	Simpson
Lucas	Skiles
McAlister	Smith of Bastrop
McCann	Spacek
McDonald	Spangler
McGlasson	Stanford
McMurry	Stinson
McNamara	Stubbs
Markle	Taylor
Matthews	Thornton
Montgomery	Turner
Moore	Vale
Morris	Voigt
Murray	

Nays—50

Allison	Hoyo
Alsup	Hughes
Bailey	Isaacks
Baker	Kelly
Bean	Kersey
Boone	King
Bray	Lansberry
Bridgers	Little
Bullock	Love
Burkett	Lowry
Carlton	Lyle
Carrington	McLellan
Cato	Manford
Chambers	Manning
Coker	Martin
Connelly	Mills
Dickson of Bexar	Morse
Eubank	Parker
Evans	Rampy
Favors	Ridgeway
Gilmer	Senterfitt
Halsey	Smith of Atascosa
Hanna	Walters
Hobbs	Wattner
Howington	Whitesides

Absent

Burnaman	Humphrey
Garland	Weatherford
Hardeman	White
Harris of Dallas	Winfree
Huffman	

Absent—Excused

Bell	Donald
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Fitzgerald
Morgan

Nicholson

**AUTHORIZING CERTAIN
CORRECTION IN H. B.
NO. 247**

Mrs. Colson offered the following resolution:

H. C. R. No. 109, Authorizing certain correction in H. B. No. 247.

Whereas, House Bill No. 247 has passed both houses of the Legislature and the caption of said bill has not been amended to conform to the changes in the body thereof; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House of Representatives be authorized to correct the caption of House Bill No. 247 to conform with the body of said bill.

**COLSON, MRS.
HARDEMAN.**

The resolution was read second time and was adopted.

**RECALLING H. B. NO. 371
FROM THE GOVERNOR**

Mr. Smith of Bastrop, offered the following resolution:

H. C. R. No. 111, Recalling House Bill No. 371 from the Governor.

Whereas, House Bill No. 371 has passed both Houses of the Legislature and is now on the Governor's desk for his signature; and

Whereas, House Bill No. 371 is a general bill; and

Whereas, It is deemed desirable and best that it be changed to have only local application, now

Therefore, be it Resolved, By the House of Representatives, the Senate concurring, that said bill be recalled from the Governor's office for the purpose of inserting the following:

"Section 9a. The provisions of this bill shall be applicable only to all counties having a population of not more than 21,620 or less than 21,590, according to the last preceding Federal census."

The resolution was read second time and was adopted.

**TO GRANT PERMISSION TO
SUE THE STATE**

The Speaker laid before the House, for consideration at this time, the following resolution:

H. C. R. No. 92, By Mr. Hoyo, To grant Mrs. Mamie Scherrer permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted by the following vote:

Yeas—125

Allen	Files
Allison	Fuchs
Alsup	Gandy
Anderson	Gilmer
Avant	Goodman
Bailey	Halsey
Baker	Hanna
Benton	Hardeman
Blankenship	Hargis
Boone	Harris of Dallas
Brawner	Harris of Hill
Bray	Hartzog
Bridgers	Heflin
Brown	Helpinstill
Bruhl	Henderson
Bullock	Hileman
Bundy	Howard
Burkett	Howington
Carlton	Hoyo
Carrington	Huffman
Cato	Hughes
Celaya	Humphrey
Chambers	Hutchinson
Clark	Isaacks
Cleveland	Jones
Coker	Kelly
Colson, Mrs.	Kennedy
Connelly	Kersey
Craig	Kinard
Crossley	Klingeman
Crosthwait	Knight
Daniel	Lansberry
Davis	Lehman
Deen	Little
Dickson of Bexar	Lock
Duckett	Love
Dwyer	Lowry
Ellis	Lucas
Eubank	Lyle
Evans	McAlister
Ferguson	McCann

McGlasson	Sallas
McLellan	Senterfitt
McMurry	Sharpe
McNamara	Simpson
Manning	Skiles
Markle	Smith of Atascosa
Martin	Spacek
Matthews	Spangler
Mills	Stanford
Montgomery	Stinson
Moore	Stubbs
Morris	Taylor
Morse	Thornton
Pace	Turner
Parker	Vale
Phillips	Voigt
Price	Walters
Rampy	Wattner
Reed of Dallas	Weatherford
Ridgeway	White
Rhodes	Whitesides
Roberts	

Present—Not Voting

Hobbs	Roark
Manford	

Absent

Bean	Leyendecker
Burnaman	McDonald
Dickson of Nolan	Murray
Dove	Pevehouse
Favors	Reed of Bowie
Garland	Shell
Huddleston	Smith of Bastrop
King	Winfree

Absent—Excused

Bell	Morgan
Donald	Nicholson
Fitzgerald	

SENATE BILL NO. 423 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 423, A bill to be entitled "An Act making an appropriation for the support and maintenance of the executive and administration departments and agencies of the State government."

The bill was read second time.

Question: Shall Senate Bill No. 423 pass to third reading?

BILLS AND RESOLUTION
SIGNED BY THE
SPEAKER

The Speaker signed in the presence

of the House, after giving due notice thereof and their captions had been read severally the following enrolled bills and resolution:

H. B. No. 439, "An Act providing a closed season on wild deer and wild turkey in Williamson County, Texas; and providing penalties for the violation of this Act."

H. B. No. 16, "An Act amending Subdivision 83 of Article 1302, Title 32, Chapter 1, of the Revised Civil Statutes of the State of Texas, 1925, relating to the formation of private corporations to organize laborers, working men, wage earners, and farmers to protect themselves in their various pursuits; vesting authority in the Commissioner of Labor Statistics to make investigation for charters and amendments to charters for such purposes; and declaring an emergency."

H. B. No. 10, "An Act amending Article 349 of the Penal Code of the State of Texas, repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

S. B. No. 417, "An Act to amend Article 637 of the Penal Code of Texas so that the same shall read as hereinafter stated, and providing for the destruction of gambling equipment and paraphernalia by order of the court; etc.; and declaring an emergency."

S. B. No. 209, "An Act to amend Section 19 of Senate Bill No. 111, Chapter 61, page 100, Acts Second Called Session of the 41st Legislature, etc., providing when, how and under what circumstances building and loan associations may make loans; etc.; and declaring an emergency."

S. B. No. 420, "An Act amending Article- 2338, Revised Civil Statutes of Texas, 1925, to make its provisions applicable where a child has been adjudged a delinquent child; repealing laws in conflict, etc.; and declaring an emergency."

H. B. No. 757, "An Act creating a special road law for Hartley County, Texas; authorizing the Commissioners' Court to issue funding or refunding bonds or warrants in lieu of certain scrip warrants or time warrants, or both, and validating such war-

rants; etc.; and declaring an emergency."

H. B. No. 146, "An Act authorizing the Commissioners' Court in all counties in the State of Texas to appropriate from the general fund not more than five (5c) cents on the One Hundred (\$100.00) Dollars assessed valuation, for the purpose of advertising and promoting the growth and development of the counties, and providing for an election authorizing such appropriation; and creating and providing for the appointment of a Board of County Development, devoted to the growth, advertisement and development of such counties and their county seats; and declaring an emergency."

H. B. No. 56, "An Act to extend the time for the payment of all notes or obligations executed by purchasers of school land for the unpaid balance of principal due the State thereon until November 1, 1951; amending Article 5312, Revised Civil Statutes, 1925; amending Article 5326, Revised Civil Statutes, 1925; and declaring an emergency."

H. C. R. No. 56, Providing for appointment of certain committee to make certain investigation in regard to fire-proofing State Land Office Building.

COMMUNICATION

The Speaker laid before the House, and had read the following communication:

ANDREW JACKSON HOUSTON

Trinity Bay Beach,
LaPorte, Texas,
April 28, 1941.

Honorable Homer Leonard, Speaker,
House of Representatives,
Austin, Texas.

Dear Sir: I have the honor to acknowledge receipt of certified copy of House Simple Resolution No. 219, in which I, as United States Senator, was invited to address the House.

I thank the Members who voted for the Resolution which was adopted April 22, 1941.

The date set for the address was the 25th. The Resolution was mailed the 24th and I received it on the 25th, too late to accept. I live in

the country and that explains its late receipt.

Sincerely yours

A. J. HOUSTON,
United States Senator.

HOUSE BILLS ON FIRST READING

The following House bills introduced today were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Lowry:

H. B. No. 989, A bill to be entitled "An Act regulating the employment and compensation of deputies, assistants or clerks to district, county or precinct officers in all counties having a population according to the last Federal Census of not less than 135,000 nor more than 190,000 inhabitants; repealing all laws and parts of laws in conflict; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Shell (by request):

H. B. No. 991, A bill to be entitled "An Act making it unlawful for any person to shoot, take, trap, snare, or in any other manner kill or have in his possession any quail in Bee County, Texas, for a period of two (2) years, except as otherwise herein provided by the authorization of the Game, Fish and Oyster Commission; prescribing a penalty; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

Mr. Brown asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 990.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the Appropriate Committee, as follows:

Mr. Brown and Mr. Markle:

H. B. No. 990, A bill to be entitled "An Act authorizing Gulf Coast

counties in Texas having fifty thousand population or more to construct, acquire, improve, operate and maintain causeways, bridges, tunnels or any combination thereof, including related properties and ferries, and to issue their revenue bonds payable solely from the revenues to be derived from the operation of such projects; making various provisions with respect thereto and with respect to the security and enforcement of such bonds, including provision for the execution of trust indentures, for the appointment of receivers for such projects, and for the deposit and security of funds in banks and trust companies; providing for approval of such bonds by the Attorney General; authorizing such counties to exercise the rights of condemnation in the manner provided; authorizing such counties to enter into agreements with the state or federal governments or any agencies or instrumentalities thereof; granting to such counties easements and rights of way in and over state lands and properties; providing for the management and control of such projects; providing that such projects and bonds shall be exempt from taxation; providing that the powers herein granted may be exercised without the consent or regulation of any state department, commission or agency; authorizing the State Highway Commission to operate, maintain or lease such projects; authorizing the refunding of such bonds; validating existing agreements; making general provisions with respect to the above; and declaring an emergency."

Referred to the Committee on Counties.

Mr. Hutchinson asked unanimous consent to introduce at this time, and have placed on first reading, House Bill No. 992.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the Appropriate Committee, as follows:

By Mr. Hutchinson:

H. B. No. 992, A bill to be entitled "An Act to relinquish, quitclaim and

grant unto all incorporated cities and towns that have a population of five thousand (5000) inhabitants, or less, according to the 1940 census, all of the beds and channels and also all of the abandoned beds and channels of all rivers, streams and other channels, that are now or that may hereafter be within or abutting and adjacent to the present or future corporate limits of such incorporated cities and towns insofar as the beds and channels, and such abandoned channels, of such rivers, streams and other channels may be owned or claimed as the property of the State; and declaring an emergency."

Referred to the Committee on State Affairs.

RECESS

On motion of Mr. Celaya, the House at 12:55 o'clock p. m., took recess until 3:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m. and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for this afternoon, as follows:

Mr. Lansberry on account of important business, on motion of Mr. Gilmer.

Mr. Kinard on account of important State business, on motion of Mr. Montgomery.

MESSAGE FROM THE SENATE

Austin, Texas, May 1, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 498, A bill to be entitled "An Act declaring it unlawful for any person to kill, take, or have in his possession for barter or sale after the passage of this Act, for a period of five (5) years, any wild fox or the pelts thereof in certain

Counties; etc.; and declaring an emergency."

H. B. No. 726, A bill to be entitled "An Act creating a Special Road Law for Hardeman County, Texas, etc., and declaring an emergency."

H. B. No. 736, A bill to be entitled "An Act prescribing the duties of the County Treasurer in certain counties and providing for his compensation; and declaring an emergency."

H. B. No. 744, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each County Commissioner and County Judge certain traveling expenses while traveling on official business; and declaring an emergency."

H. B. No. 795, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each County Commissioner certain expenses for traveling and in connection with the use of his automobile on official business; etc.; and declaring an emergency." (With amendments).

H. B. No. 798, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each County Commissioner certain traveling expenses while traveling on official business; and declaring an emergency."

H. B. No. 799, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to authorize the Commissioners Court to purchase pickup trucks to be paid out of Road and Bridge Fund and to be used by the County Commissioners in the discharge of their official business; and declaring an emergency."

H. B. No. 801, A bill to be entitled "An Act to amend Section 1 of Chapter 90, page 194, Special Laws, Forty-second Legislature, Regular Session, 1931, as amended by Chapter 33, page 41, Special Laws, Forty-third Legislature, Regular Session, 1933, so as to remove Comanche

County from the Provisions of said law; and declaring an emergency."

H. B. No. 823, A bill to be entitled "An Act amending Chapter 6, page 11, Section 1, Acts of the Thirty-ninth Legislature, First Called Session, to provide that County Attorneys of the Sixth Judicial District of Texas may each employ a stenographer; etc.; and declaring an emergency."

H. B. No. 843, A bill to be entitled "An Act declaring all of the area inundated by the waters of Lake Corpus Christi to be a wild life sanctuary; etc.; and declaring an emergency."

H. B. No. 865, A bill to be entitled "An Act to amend Section 1 of H. B. No. 556, Chapter 59, Acts of the Regular Session of the Forty-fourth Legislature, page 145, so as to change the time of holding the terms of the District Court in the 86th Judicial District; etc.; and declaring an emergency."

H. B. No. 868, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each County Commissioner certain expenses for traveling; etc.; and declaring an emergency."

H. B. No. 869, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each County Commissioner certain expenses for traveling in connection with the use of his automobile on official business; etc.; and declaring an emergency."

Adopted

H. C. R. No. 95, Commending certain people for lending their aid in creating a greater demand for the use of cotton and urging others to lend their support of this work.

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILL NO. 423 ON PASSAGE TO THIRD READING

The Speaker laid before the House as unfinished business, Senate Bill

No. 423, making certain appropriation for the support and maintenance of the executive and administration departments, etc. on its passage to third reading.

The bill having heretofore been read second time on this morning.

Mr. Reed of Dallas offered as the Committee Amendment to the bill, the printed copy of Senate Bill No. 423, as recommended by the Committee on Appropriations.

Mr. Reed of Dallas, offered the following amendments to the Committee Amendment:

Amend Committee Amendment to Senate Bill No. 423, page 111, by inserting between lines 7 and 8 the following:

"89. Typist \$1,200.00, \$1,200.00"

Said item being already included in the total of \$41,910.00 shown in line 31.

Amend Committee Amendment to Senate Bill No. 423, page 276, at line 34, by changing the figures to read \$1350.00 each year instead of \$1300.00 each year.

The Amendments were severally adopted.

On motion of Mr. Reed of Dallas, and by unanimous consent, the House agreed to consider the Committee Amendment section by section.

Mr. Stanford offered the following amendment to that section of the Committee Amendment relative to the State Board of Control:

Amend Committee Amendment No. 1 to Senate Bill No. 423 by adding a new item to be known as Item 144-A on Page 58 of the printed bill for the year ending August 31, 1942; said Item 144-A to read as follows to wit:

"144-A For paying the cost of improving, in the manner herein stated, the streets hereinafter enumerated abutting on State property in the City of Austin, the sums as follows:

West 10th Street, north side, from Lavaca Street to Colorado Street, abutting the Governor's Mansion. For cost of paving, sidewalk, retain-

ing walls and excavation in connection with the widening of such street -----

\$4,530.45

Colorado Street, west side, from 10th Street to 11th Street, abutting the Governor's Mansion, and Colorado Street, east side, from the alley between 10th and 11th Streets to 11th Street, abutting old Capitol Grounds. For cost of paving, sidewalks, retaining walls, excavation and steps in connection with the widening of such street.

\$6,597.03

STANFORD,

CARRINGTON.

(Mr. McMurry in the Chair)

Question recurring on the Amendment by Mr. Stanford, it was lost.

Mr. Lehman offered the following Amendment to that section of the Committee Amendment relative to the State Board of Control:

Amend Senate Bill No. 423 by striking out the figures \$2100.00 wherever they appear on page 52 in line 40 and page 53 in line 4 and insert in lieu thereof \$2400.

On motion of Mr. Reed of Dallas, the amendment was tabled.

Mr. Kersey offered the following amendment to that section of the Committee Amendment relative to the State Board of Control:

Amend Senate Bill No. 423 Item 23, line 6, page 53, to read \$2,100.00.

Mr. Reed of Dallas moved to table the amendment by Mr. Kersey.

The motion to table was lost.

Question then recurring on the amendment by Mr. Kersey, it was adopted.

Mr. Carrington offered the following amendment to that section of the Committee Amendment relative to the State Board of Control:

Amend Committee Amendment to Senate Bill No. 423, page 58, item 141, line 10, by substituting the amount "\$4,175.00" instead of "\$3,000.00."

Question recurring on the amendment by Mr. Carrington, it was lost.

Mr. Howington offered the following amendment to that section of the Committee Amendment relative

to the State Department of Education:

Amend House Committee Amendment No. 1 to Senate Bill No. 423, on page 61, line 38, item 1, of the printed bill, under salary of State Superintendent by striking out the figures and amounts "\$6,000.00" each year and substituting in lieu thereof "\$5,000.00" in each column.

HOWINGTON,
BURKETT.

Mr. Lock moved to table the amendment by Mr. Howington.

The motion to table was lost.

Question then recurring on the amendment by Mr. Howington, it was adopted.

Mr. Kersey moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Manning offered the following amendment to that section of the Committee Amendment relative to the State Board of Education:

Amend Committee Substitute to Senate Bill No. 423, page 61, by striking out line 4.

The amendment was adopted.

Mr. Manning moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Morris moved to suspend the Rules for the purpose of making a motion to reconsider the vote by which the amendment by Mr. Manning was adopted.

The motion to suspend the Rules was lost by the following vote, (not receiving the necessary two-thirds vote):

Yeas—70

Allen	Carlton
Anderson	Carrington
Avant	Chambers
Boone	Cleveland
Brawner	Coker
Bridgers	Colson, Mrs.
Bullock	Connelly
Burnaman	Dickson of Bexar

Ellis	Markle
Eubank	Matthews
Evans	Montgomery
Ferguson	Moore
Files	Morris
Fuchs	Morse
Garland	Nicholson
Gilmer	Pace
Hardeman	Phillips
Hargis	Price
Harris of Dallas	Reed of Bowie
Hartzog	Reed of Dallas
Helpinstill	Ridgeway
Huffman	Rhodes
Humphrey	Roberts
Jones	Shell
Kennedy	Simpson
Klingeman	Skiles
Knight	Smith of Bastrop
Lehman	Smith of Atascosa
Lock	Spangler
Love	Stanford
Lowry	Turner
Lucas	Vale
McCann	Walters
McDonald	Wattner
McLellan	Weatherford

Nays—51

Allison	Howington
Bailey	Hoyo
Baker	Huddleston
Bean	Hughes
Benton	Kersey
Bray	King
Bruhl	Little
Bundy	McGlasson
Burkett	McNamara
Cato	Manford
Clark	Manning
Craig	Mills
Crossley	Murray
Daniel	Parker
Davis	Rampy
Deen	Roark
Duckett	Sallas
Favors	Senterfitt
Gandy	Sharpe
Goodman	Spacek
Halsey	Stinson
Hanna	Stubbs
Harris of Hill	Thornton
Henderson	Whitesides
Hileman	Winfree
Hobbs	

Present—Not Voting

Alsup	McMurry
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Absent

Blankenship	Celaya
Brown	Crosthwait

Dickson of Nolan	Leyendecker
Dove	Lyle
Dwyer	McAlister
Heflin	Martin
Howard	Pevehouse
Hutchinson	Taylor
Isaacks	Voigt
Kelly	White

Absent—Excused

Bell	Kinard
Donald	Lansberry
Fitzgerald	Morgan

Mr. Duckett offered the following amendment to that section of the Committee Amendment relative to the State Board of Education:

Amend Committee Amendment to Senate Bill No. 423, page 73, Sec. 152, line 20, by striking out "\$4,000" and inserting in lieu thereof, "\$3,000."

On motion of Mr. Alsop the amendment by Mr. Duckett was tabled.

Mr. Bray offered the following amendment to that section of the Committee Amendment relative to the Executive Department:

Amend amendment to Senate Bill No. 423 as follows: Lines 28, 29, 30, 31, 32, page 75, by striking out the figures "3,600, \$3,000, \$2,100, \$2,100" for the years 1942 and 1943 and substituting the figures \$2,400, \$1,800, \$1,800, \$1,800." respectively.

On motion of Mr. Morris the amendment by Mr. Bray was tabled.

Mr. Hartzog offered the following amendment to that section of the Committee Amendment relative to the Game, Fish and Oyster Commission:

Amend amendment to Senate Bill No. 423 by striking out on page 90, all of lines 35, 36, 37, 38, 39 and 40, and all of line 4, on page 91, and correct the total on line 17, on page 91, and by inserting on page 92, by inserting between lines 14 and 15, the following: 282a, Pilot Warden \$1,800, \$1,800 and insert between lines 15 and 16 the following:

283a, Observer \$1,000, \$1,000, and change the figures \$500.00, on line 17, to \$1,000.00; and change the figures \$2,400.00 on line 21, to

\$4,800.00; and change the total accordingly.

HARTZOG,
BROWN,
MARKLE.

The amendment was adopted.

Mr. Bullock offered the following amendment to that section of the Committee Amendment relative to the General Land Office:

Amend Committee Amendment to Senate Bill No. 423, page 96, line 6, by changing the figures from "\$14,400" to "\$15,400" for each year; page 96, line 23, by changing the figures from "\$57,400" to "\$58,400" for each year; page 96, line 26, by changing the figures from "\$200,240" to "\$201,240" for each year.

The amendment was adopted.

Mr. Bray offered the following amendment to that section of the Committee Amendment relative to the General Land Office:

Amend Committee Amendment to Senate Bill No. 423, General Land Office Section by increasing all salaries 3%.

(Speaker in the Chair.)

On motion of Mr. Reed of Dallas the amendment by Mr. Bray was tabled.

Mr. Taylor offered the following amendment to that section of the Committee Amendment relative to the National Guard Armory Board:

Amend Committee Amendment No. 1 to Senate Bill No. 423, on page 156, line 11, by striking out the figures \$179,158.80 and \$234,158.80 and inserting in lieu thereof the following: "\$379,158.80" and "\$534,158.80."

(Mr. Hardeman in the Chair.)

Question recurring on the amendment by Mr. Taylor, it was adopted.

Mr. Lowry offered the following amendment to that section of the Committee Amendment relative to the Board of Pardons and Paroles:

Amend Committee Amendment to Senate Bill No. 423, in its printed form, page 156, as follows:

"Line 39\$4200.00
 "Line 40\$4200.00
 and page 157, as follows:
 "Line 4\$4200.00

On motion of Mr. Reed of Dallas
 the amendment was tabled.

(Speaker in the Chair.)

Mr. Lowry moved to suspend the
 Rules for the purpose of making a
 motion to reconsider the vote by
 which the amendment was tabled.

The motion to suspend the Rules
 was lost by the following vote:

Yeas—37

Allen	Lehman
Anderson	Leyendecker
Baker	Love
Bean	Lowry
Boone	McLellan
Brown	Markle
Carrington	Moore
Cato	Morse
Clark	Ridgeway
Coker	Sallas
Connelly	Spacek
Crosthwait	Stanford
Dickson of Bexar	Thornton
Favors	Turner
Hargis	Walters
Helpinstill	Weatherford
Hileman	Whitesides
Hoyo	Winfree
Hutchinson	

Nays—79

Allison	Ferguson
Alsup	Files
Avant	Fuchs
Bailey	Garland
Benton	Goodman
Brawner	Halsey
Bray	Hanna
Bruhl	Harris of Dallas
Bullock	Harris of Hill
Bundy	Hartzog
Burkett	Henderson
Burnaman	Howington
Carlton	Huddleston
Cleveland	Humphrey
Colson, Mrs.	Jones
Craig	Kelly
Crossley	Kennedy
Daniel	Kersey
Davis	King
Deen	Knight
Duckett	Lock
Ellis	Lucas
Eubank	McDonald

McGlasson	Roark
McMurry	Roberts
McNamara	Senterfitt
Manning	Sharpe
Martin	Shell
Matthews	Simpson
Mills	Skiles
Montgomery	Smith of Bastrop
Morris	Smith of Atascosa
Murray	Spangler
Parker	Stubbs
Phillips	Taylor
Price	Vale
Rampy	Voigt
Reed of Bowie	Wattner
Reed of Dallas	White
Rhodes	

Present—Not Voting

Pace

Absent

Blankenship	Howard
Bridgers	Huffman
Celaya	Hughes
Chambers	Isaacks
Dickson of Nolan	Klingeman
Dove	Little
Dwyer	Lyle
Evans	McAlister
Gandy	McCann
Gilmer	Manford
Hardeman	Nicholson
Heflin	Pevehouse
Hobbs	Stinson

Absent—Excused

Bell	Kinard
Donald	Lansberry
Fitzgerald	Morgan

Mr. Burkett offered the following
 amendment to that section of the
 Committee Amendment relative to
 the Board of Pardons and Paroles:

Amend House Committee Amend-
 ment No. 1 to Senate Bill No. 423,
 on page 157, line 9, item 6, of the
 printed bill, by striking out \$2,100.-
 00 for each year and inserting in
 lieu thereof \$1,800.00 for each year.
 And adding between lines 14 and 15
 "Investigator, \$1,800.00 for each
 year."

BURKETT,
 WINFREE.

Question recurring on the amend-
 ment by Mr. Burkett, it was adopted.

Mr. Winfree moved to reconsider
 the vote by which the amendment

was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Question: Shall the Committee Amendment, as amended, be adopted?

(Mr. McMurry in the Chair.)

TO PROVIDE FOR THE APPOINTMENT OF CERTAIN COMMITTEE

The Chair laid before the House, for consideration at this time, the following resolution:

H. C. R. No. 104, by Mr. Sharpe, To provide for the appointment of certain committee to make investigation in regard to Agricultural Problems.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Mr. Moore offered the following amendment to the resolution:

Amend House Concurrent Resolution No. 104, by striking out all of Section A, and inserting the following:

"That we favor farmers receiving 85 % of the parity price of commodities produced on acreage allotted under the current AAA program."

MOORE,
RAMPY,
EVANS.

The amendment was adopted.

Question then recurring on the resolution, as amended, it was adopted.

Mr. Sharpe moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 989 ON SECOND READING

Mr. Lowry moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 989 be placed on its second reading and

passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Allen	Knight
Allison	Lehman
Alsup	Little
Anderson	Lock
Avant	Love
Bailey	Lowry
Baker	Lucas
Bean	Lyle
Benton	McAlister
Blankenship	McCann
Brawner	McGlasson
Bray	McLellan
Brown	McNamara
Bruhl	Manford
Bullock	Manning
Burkett	Markle
Burnaman	Martin
Carlton	Matthews
Carrington	Mills
Cato	Montgomery
Chambers	Moore
Clark	Morse
Cleveland	Nicholson
Coker	Pace
Colson, Mrs.	Parker
Connelly	Pevehouse
Craig	Phillips
Duckett	Price
Ellis	Rampy
Evans	Reed of Bowie
Favors	Reed of Dallas
Ferguson	Ridgeway
Files	Rhodes
Fuchs	Roark
Gandy	Roberts
Garland	Sallas
Goodman	Senterfitt
Halsey	Sharpe
Hanna	Simpson
Hargis	Smith of Bastrop
Harris of Dallas	Smith of Atascosa
Harris of Hill	Spacek
Hartzog	Spangler
Helpinstill	Stanford
Henderson	Stinson
Hileman	Taylor
Howington	Thornton
Hoyo	Turner
Huddleston	Voigt
Hughes	Walters
Humphrey	Wattner
Hutchinson	Weatherford
Isaacks	White
Jones	Whitesides
Kelly	Winfree
Kennedy	

Present—Not Voting

McMurry

Absent

Boone	Heflin
Bridgers	Hobbs
Bundy	Howard
Celaya	Huffman
Crossley	Kersey
Crosthwait	King
Daniel	Klingeman
Davis	Leyendecker
Deen	McDonald
Dickson of Bexar	Morris
Dickson of Nolan	Murray
Dove	Shell
Dwyer	Skiles
Eubank	Stubbs
Gilmer	Vale
Hardeman	

Absent—Excused

Bell	Kinard
Donald	Lansberry
Fitzgerald	Morgan

The Chair then laid before the House, on its second reading and passage to engrossment,

H. B. No. 989, A bill to be entitled "An Act regulating the employment and compensation of deputies, assistants or clerks to district, county or precinct officers in all counties having a population according to the last Federal Census of not less than 135,000, nor more than 190,000 inhabitants; repealing all laws and parts of laws in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 989 ON
THIRD READING

The Chair then laid House Bill No. 989 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—111

Allen	Benton
Allison	Blankenship
Alsop	Brawner
Anderson	Bray
Avant	Brown
Bailey	Bruhl
Baker	Bullock
Bean	Burkett

Burnaman
Carlton
Carrington
Cato
Chambers
Clark
Cleveland
Coker
Colson, Mrs.
Connelly
Craig
Duckett
Ellis
Evans
Favors
Ferguson
Files
Fuchs
Gandy
Garland
Goodman
Halsey
Hanna
Hargis
Harris of Dallas
Harris of Hill
Hartzog
Helpinstill
Henderson
Hileman
Howington
Hoyo
Huddleston
Hughes
Humphrey
Hutchinson
Isaacks
Jones
Kelly
Kennedy
Knight
Lehman
Little
Lock
Love
Lowry
Lucas
Lyle

McAlister
McCann
McGlasson
McLellan
McNamara
Manford
Manning
Markle
Martin
Matthews
Mills
Montgomery
Moore
Morse
Nicholson
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Sharpe
Simpson
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Taylor
Thornton
Turner
Voigt
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Present—Not Voting

McMurry

Absent

Boone	Dickson of Nolan
Bridgers	Dove
Bundy	Dwyer
Celaya	Eubank
Crossley	Gilmer
Crosthwait	Hardeman
Daniel	Heflin
Davis	Hobbs
Deen	Howard
Dickson of Bexar	Huffman

Kersey
King
Klingeman
Leyendecker
McDonald
Morris

Murray
Shell
Skiles
Stubbs
Vale

Absent—Excused

Bell
Donald
Fitzgerald

Kinard
Lansberry
Morgan

MESSAGE FROM THE SENATE

Austin, Texas, May 1, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 296, A bill to be entitled "An Act creating a special road law for Briscoe County, Texas; etc.; and declaring an emergency."

S. B. No. 449, A bill to be entitled "An Act providing in counties having a population of more than five hundred thousand (500,000), for the extension not to exceed thirty (30) days after the expiration of the term, of the period during which a grand jury may sit to conclude its investigation, and declaring an emergency."

H. B. No. 238, A bill to be entitled "An Act amending Chapter 13, Acts, Third Called Session of the Forty-second Legislature, as amended, declaring the policy of the State with reference to financing the constructing of county lateral roads; etc.; and declaring an emergency." (With amendments).

Adopted

H. C. R. 110, Authorizing certain correction to H. B. No. 8. (With amendments).

Passed

H. B. No. 729, A bill to be entitled "An Act authorizing eligible cities and towns as defined herein to issue refunding bonds; etc.; and declaring an emergency."

H. B. No. 881, A bill to be entitled "An Act providing for the allowance of expenditures for office and travel-

ing expenses of the County Superintendent of Public Instruction in certain counties to apply both when such counties have a school superintendent and when the County Judge is the ex-officio county superintendent; etc.; and declaring an emergency."

H. B. No. 360, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each County Commissioner certain expenses for traveling and in connection with the use of his automobile on official business; etc.; and declaring an emergency." (With amendments).

H. B. No. 577, A bill to be entitled "An Act prescribing additional duties for County Auditors in certain counties; etc.; and declaring an emergency."

H. B. No. 540, A bill to be entitled "An Act providing for the sale and transfer by the Texas Prison Board of certain land in the City of Huntsville, Walker County, to United Gas Corporation, in exchange for a tract of land in Huntsville, etc.; and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE CONCURRENT RESOLUTION NO. 110 WITH SENATE AMENDMENTS

Mr. Morris called up from the Speaker's table with Senate amendment, for consideration of the amendments,

H. C. R. No. 110, Authorizing certain corrections in House Bill No. 8.

On motion of Mr. Morris the House concurred in the Senate amendments by the following vote:

Yeas—113

Allison
Alsup
Anderson
Avant
Bailey
Baker
Benton
Boone
Brawner

Bray
Bridgers
Brown
Bruhl
Bullock
Bundy
Burkett
Carlton
Cato

Celaya	Lucas
Chambers	Lyle
Clark	McAlister
Cleveland	McGlasson
Coker	McLellan
Colson, Mrs.	McNamara
Connelly	Manford
Crossley	Manning
Crosthwait	Markle
Daniel	Martin
Davis	Matthews
Deen	Mills
Dickson of Bexar	Montgomery
Duckett	Moore
Ellis	Morris
Eubank	Morse
Ferguson	Murray
Files	Pace
Gandy	Parker
Garland	Phillips
Gilmer	Price
Goodman	Rampy
Hardeman	Reed of Bowie
Hargis	Reed of Dallas
Harris of Dallas	Ridgeway
Hartzog	Rhodes
Heflin	Roark
Helpinstill	Roberts
Henderson	Senterfitt
Hileman	Shell
Hobbs	Simpson
Howard	Skiles
Howington	Smith of Bastrop
Hoyo	Smith of Atascosa
Humphrey	Spacek
Hutchinson	Spangler
Isaacks	Stanford
Jones	Taylor
Kennedy	Thornton
Kersey	Turner
King	Vale
Klingeman	Voigt
Knight	Walters
Lehman	Wattner
Leyendecker	Weatherford
Lock	White
Love	Winfree
Lowry	

Present—Not Voting

McMurry

Absent

Allen	Evans
Bean	Favors
Blankenship	Fuchs
Burnaman	Halsey
Carrington	Hanna
Craig	Harris of Hill
Dickson of Nolan	Huddleston
Dove	Huffman
Dwyer	Hughes

Kelly	Sallas
Little	Sharpe
McCann	Stinson
McDonald	Stubbs
Nicholson	Whitesides
Pevehouse	

Absent—Excused

Bell	Kinard
Donald	Lansberry
Fitzgerald	Morgan

(Speaker in the Chair)

RELATIVE TO HOUSE BILL
NO. 8

On motion of Mr. Alsup House Bill No. 8 was ordered printed as a supplement to the House Journal, and the Committee on Contingent Expenses was authorized to print as many as deemed necessary.

TO PROVIDE FOR CERTAIN
ADJOURNMENT PERIOD

Mr. Celaya offered the following resolution:

H. C. R. No. 112, To provide for certain adjournment period.

Be it Resolved by the House of Representatives, the Senate concurring, That each House grant the other permission to adjourn from Thursday, May 1st, 1941, to Monday, May 5th, 1941.

The resolution was read second time and was lost.

Mr. Manning moved to reconsider the vote by which the resolution was lost.

Mr. Cato moved to table the motion to reconsider.

The motion to table was lost.

HOUSE BILL NO. 238 WITH SEN-
ATE AMENDMENTS

Mr. Kersey called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 238, A bill to be entitled "An Act declaring the policy of the State with reference to building, maintaining and financing military roads; authorizing the payment out of the county and road district highway fund of certain bonds which have been or may be issued by

counties and road districts where the proceeds of such bonds may be used in the construction of military roads; and declaring an emergency."

Mr. Kersey moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the difference between the two houses on the bill.

The motion prevailed.

EXTENDING CONGRATULATIONS OF THE HOUSE

Mr. Anderson offered the following resolution:

H. S. R. No. 244, Extending Congratulations of the House.

Whereas, Harris Masterson Winfree, midshipman at the U. S. Naval Reserve School, Annapolis, Maryland, will receive his commission as an ensign in the Naval Reserve on May 15; and

Whereas, Ensign Winfree is the son of our distinguished colleague, the Honorable Jo Ed Winfree and Mrs. Winfree; and

Whereas, It is the natural desire of the parents of such a worthy son to be in attendance on so memorable an occasion; therefore, be it

Resolved by the House of Representatives, That the House of Representatives congratulate Colonel and Mrs. Winfree on being the parents of one of the defenders of our Nation, and that Colonel Winfree stand excused from attendance in the House from Thursday, May 8, until such time as the graduation exercises are over.

ANDERSON,
TAYLOR.

The resolution was read second time.

Signed—Leonard Speaker, Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connolly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald,

Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Hudleston, Huffman, Hughes, Humphrey, Hutchison, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White and Whitesides.

On the motion of Mr. Anderson, the names of all the Members of the House were added to the rescution as signers thereof.

The resolution was unanimously adopted.

BILL AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and their captions had been read severally the following enrolled bill and resolution:

H. C. R. No. 110, Authorizing certain correction in House Bill No. 8.

H. B. No. 345, "An Act making an emergency appropriation for the remaining portion of the fiscal year ending August 31, 1941, to assist in the maintenance of a newly established quarantine patrol station necessary to the enforcement of the provisions of Article 135-A Vernon's Revised Civil Statutes of Texas, 1925, and to pay salaries of quarantine inspectors for the operation of this station and of agents of the Department of Agriculture in carrying out an extension of the harvesting season as provided for in the statute referred to; and to pay the salaries

of two (2) floral inspectors for the remaining part of the fiscal year in order to properly enforce the provisions of the Texas Orchard and Nursery Inspection Law, Chapter VII, Revised Civil Statutes of 1925, and Chapter X, Revised Criminal Statutes of 1925; and declaring an emergency."

SENATE BILLS ON FIRST READING

The following Senate bills received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 296, To the Committee on Counties.

S. B. No. 449, To the Committee on Counties.

HOUSE JOINT RESOLUTION ON FIRST READING

Mr. McDonald asked unanimous consent to introduce at this time and have placed on first reading House Joint Resolution No. 38.

There was no objection.

The Speaker then laid the resolution before the House, it was read first time and referred to the Appropriate Committee, as follows:

By Mr. McDonald:

H. J. R. No. 38, Proposing an amendment to the Constitution of the State of Texas by amending Section 33 of Article 16, of the Constitution of Texas so as to permit the Accounting Officers of this State to draw and pay warrants for salaries to officers of the United States Army or Navy who are assigned to duties in State Institutions of higher education.

Referred to the Committee on Constitutional Amendments.

HOUSE BILL ON FIRST READING

Mr. Lyle asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 993.

There was no objection.

The Speaker then laid the bill be-

fore the House, it was read first time and referred to the Appropriate Committee, as follows:

By Mr. Lyle:

H. B. No. 993, A bill to be entitled "An Act to amend Title 5, Article 176, of the Revised Civil Statutes of the State of Texas (1925) by adding a new Article to be designated as Article 176-A; providing that Reports of Alien Ownership of land may be filed on or before the last day of December, 1941; and declaring an emergency."

Referred to the Committee on Judiciary and Uniform State Laws.

Mr. Lock moved that the House stand at ease, subject to the call of the Chair and at the discretion of the Chair the House adjourn until 10:00 a. m. tomorrow.

Mr. Lehman moved that the House stand at ease subject to the call of the Chair and at the discretion of the Chair the House recess to 10:00 o'clock a. m. tomorrow.

Mr. Lyle moved that the House stand at ease subject to the call of the Chair and at the discretion of the Chair the House adjourn until 10:00 o'clock a. m. next Monday.

The motion of Mr. Lyle prevailed.

(While the House was standing at ease Mr. Kelly, Mr. Crosthwait and Mr. Benton occupied the Chair temporarily.)

(Speaker in the Chair).

BILL SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice thereof and its caption had been read the following enrolled bill:

H. B. No. 8, "An Act levying various taxes and providing certain revenues for the payment of Old Age Assistance, aid to Destitute Children, aid to Needy Blind, and the obligations of the State under the Teachers Retirement Act; amending Section 2 of Chapter 241, Acts of the Regular Session of the Forty-fourth Legislature, and levying certain taxes on persons making the

first sale in this State of cigarettes and providing for the collection and administration thereof; amending Section 2 of Article 7057a of the Revised Civil Statutes of Texas, 1925, same being Section 2, Chapter 162, Acts of the Forty-third Legislature, Regular Session, 1933, as amended by Acts of the First Called Session of the Forty-third Legislature, 1933, Chapter 12, Section 1, as amended by Acts of the Third Called Session of the Forty-fourth Legislature, 1936, Chapter 495, Article 4, Section 4, levying certain occupation taxes on oil produced within this State, defining certain terms in connection therewith, establishing the liability thereof, and providing for the computation, collection, and administration thereof; etc.; and declaring an emergency."

ADJOURNMENT

The House, in accordance with the provisions of the motion of Mr. Lyle, heretofore adopted, adjourned at 12:01 o'clock a. m., Friday, May 2, until 10:00 o'clock a. m. next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills, as follows:

Privileges, Suffrage and Elections, House Bill Nos. 857 and 938.

Oil, Gas, and Mining: House Bill No. 942.

Education: House Bill No. 237.

Appropriations: House Bills Nos. 268, 348, 662, 739, 963 and 982.

Counties: House Bills Nos. 379, 950, 967, 968, 973, 984, 989 and 990.

Municipal and Private Corporations: House Bills Nos. 971 and 983.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 115, A bill to be entitled "An Act to amend Title 15, Chapter 14 of the Penal Code of Texas, 1925, relating to the offense of negligent homicide, by inserting in the Penal Code a new article defining the offense of negligent homicide by motor vehicle or motorcycle, and fixing the punishment therefor, and providing that it shall not be necessary in any indictment, information, or complaint hereunder to set out and enumerate any specific acts of negligence, and repealing Articles 1230, 1231, 1235, 1237, 1238, 1239, 1240, 1242, and 1243 of the Penal Code of Texas, 1925, in so far as the same may be in conflict herewith, but not otherwise; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 331, A bill to be entitled "An Act amending House Bill No. 1032 of the Regular Session of the 46th Legislature, Acts 1939, Chapter 15, page 652, so as to exclude independent school districts and common school districts from the operation thereof; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 385, A bill to be entitled "An Act authorizing the organization of cemetery monument associations to engage in the business of providing cemetery monuments and services in connection therewith by means of insurance benefits; providing the organization and regulations thereof; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 543, A bill to be entitled "An Act authorizing the State Forester to designate certain of his employees as peace officers; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 564, A bill to be entitled "An Act to authorize the State Treasurer and the State Comptroller to transfer certain moneys from the General Fund and the Available School Fund to the Board of Insurance Commissioners Suspense Account; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 620, A bill to be entitled "An Act amending Section 2 of Chapter 5, Acts, Second Called Session of the Forty-third Legislature, as amended by Chapter 459, Acts, Second Called Session of the Forty-fourth Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 633, A bill to be entitled "An Act amending Article 7212, Revised Civil Statutes of Texas, 1925,

providing that when the Commissioners Court shall contract with an individual, firm, or corporation for the compilation of taxation data, the compensation of such individual, firm, or corporation shall be paid on a pro rata basis from each fund benefiting by the receipt of any taxes derived from such valuation; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 663, A bill to be entitled "An Act to amend an Act for the promotion, protection and development of the Commercial Potato Growing Industry of Texas, same being Senate Bill No. 158 of the Acts of the Second Called Session of the Forty-first Legislature, and being Article 117A of Title 4, Chapter 6, Vernon's Annotated Statutes of Texas, 1925, by amending Section 3 of said Act to make the provisions thereof applicable to 'commercial quantities' of potatoes and defining the term 'commercial quantities' as used therein; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 674, A bill to be entitled "An Act making it unlawful to take any wild fox in the County of Brazos for the purpose of sale; prescribing certain exceptions thereto; repealing all laws or parts of laws in conflict with the provisions of this Act; prescribing the penalties for the violation of this Act and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 718, A bill to be entitled "An Act to be known as Article 7930-3, Revised Civil Statutes of Texas, 1925, and being an amendment to Chapter 4, Title 128, Revised Civil Statutes of Texas, 1925, and to provide for elections upon the question of exclusion of lands from water districts created under Chapter 4, Title 128, where the lands to be excluded have theretofore been annexed to a city or town, providing as one of its functions the same services authorized by law to be provided by such water district, but such election and such exclusion not to affect the liability of such excluded property for its just portion of any indebtedness theretofore assumed and fixed by such water district, providing for an equitable apportionment of indebtedness; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 773, A bill to be entitled "An Act authorizing the Board of Directors of Texas Technological College to purchase insurance on the contents of the book store located on the campus of the college, and on the building and contents of the R. O. T. C. Building located on the campus of the college, and on the building and contents of the N. Y. A. Cooperative Dormitory Building located on the campus of the college; authorizing the payment of the necessary insurance premiums out of the local funds of the college and appropriating sufficient funds of money therefrom to pay same; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 819, A bill to be entitled "An Act providing for the transfer of title of certain lands to Refugio and Aransas Counties, said land consisting of three adjoining tracts lying under, along and adjacent to a proposed Causeway and Approaches across Copano Bay in Refugio and Aransas Counties near the town of Bayside."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 821, A bill to be entitled "An Act to amend Rules 36a and 37a of Article 4477 of the Revised Statutes of the State of Texas, relative to the registration of births and deaths, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 822, A bill to be entitled "An Act to amend Subdivision 70, of Article 199, Title 8, of the Revised Civil Statutes of the State of Texas, 1925, amended by Acts 1927, Fortieth Legislature, Regular Session, page 134, Chapter 87, Section 1, amended by Acts, 1929, Forty-first Legislature, Regular Session, page 50, Chapter 19, Section 1, amended by Acts, 1933, Forty-third Legislature, Regular Session, page 371, Chapter 145, Section 2, Acts, 1935, Forty-fourth Legislature, Regular Session, page 150, Chapter 63, Section 1, so as to change the time and terms of holding the terms of

District Court in Martin, Howard, Midland, Ector and Glasscock Counties, constituting the Seventieth Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next terms of Court in said Counties and District, as herein fixed; to validate the summoning of grand and petit juries under the present law so as to render them available in said Counties under this Act; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 832, A bill to be entitled "An Act amending Article 2370, Revised Civil Statutes of Texas, 1925, by providing that the Commissioners Court of any county may, when necessary, furnish suitable quarters, other than the courthouse, for holding Court and carrying on other public business and may rent such part of any such quarters not necessary for public use; . . . and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 840, A bill to be entitled "An Act providing for the establishment, erection, equipping, operation and maintenance of hospitals by certain counties and cities, for the levying of a direct tax therefor, and for the issuance and payment of bonds for such purposes; further providing for the leasing of such hospital; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 845, A bill to be entitled "An Act to amend Article 2465, Revised Civil Statutes of 1925, as amended by Acts of the Forty-first Legislature, Regular Session, 1929, Chapter 17, page 46, Section 1, as amended by Acts of the Forty-first Legislature, Second Called Session, page 168, Chapter 85, Section 1, providing for books and records to be kept by credit unions, for supervision and examination of credit unions by some competent person or persons designated by the State Banking Commissioner, by one or more credit union examiners appointed by the Banking Commissioner, or by certain employees of the Banking Department, etc.; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 858, A bill to be entitled "An Act operative only in counties of 60,000 population or more according to the latest Federal Census; authorizing cities and towns that have issued bonds, warrants, notes or other obligations payable from revenues of the water systems and/or sewer systems and/or sewage disposal plants to issue new bonds of such cities or towns payable from the net revenues of the water systems and/or sewer systems and/or sewage disposal plants for the purpose of refunding such outstanding bonds, warrants, notes or other obligations and for the purpose of further building, improving, enlarging, extending and/or repairing such systems and to pledge the net reve-

nues thereof to pay the interest on and principal of such refunding and further construction bonds, and authorizing the governing body of such city or town to mortgage and encumber the physical properties of such systems for that purpose and to grant a franchise to the purchaser under foreclosure to operate such system or systems for a period of not exceeding twenty years after purchase, subject to all the laws regulating the same then in force; providing that such new bonds may be called Refunding and Further Construction Bonds; providing that such new bonds may be made to mature as directed by the governing body not more than thirty years from their date and may bear interest at not exceeding 5% per annum, providing such new bonds shall not bear interest, etc.; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 860, A bill to be entitled "An Act prescribing the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities or towns, on petition of the owners of all such territory; providing for the recording of such petitions; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 861, A bill to be entitled "An Act to amend Subdivision 106 of Article 199, Title 8, of the Revised Statutes of Texas, 1925, so as to change the length of the terms of District Court and the time of holding the terms of District Court in Terry, Lynn, Garza, Dawson, Gaines

and Yoakum Counties, constituting the One Hundred and Sixth Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next terms of court in said counties and district, as herein fixed; to validate the summoning of grand and petit juries under the present law so as to render them available in said counties under this Act."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 862, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas for current expenses, for support of public free schools and for interest and sinking funds to pay bonded obligations heretofore authorized by the electorate, which levies are void and unenforceable because the governing bodies of such cities and towns failed to make such levies by formal ordinance or made the levies prior to final approval of the annual budget, or because the levies were made and adopted without the tax rolls being actually before such governing bodies, and making all such levies enforceable under this Act as though adopted originally by ordinance in strict compliance with all requirements of law; provided this Act shall not apply to levies the validity of which has been attacked by litigation pending in court on effective date of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 863, A bill to be entitled "An Act declaring the location of feed pens for certain livestock or slaughter pens within five hundred (500) feet of a cemetery is a nuisance in certain counties; providing for injunction; enacting provisions relative to old, abandoned, and neglected cemeteries; providing for the removal of bodies; and providing for the abatement of nuisances in all counties in this State with a population of five hundred and twenty-five thousand (525,000) or more, according to the last preceding Federal Census; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 866, A bill to be entitled "An Act making an appropriation out of the State Highway Fund for refunding donations made for the purpose of making surveys and investigation on Highway No. 22, and which work was never accomplished; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 871, A bill to be entitled "An Act granting consent by the State of Texas to Walter Garrison, Burt C. Cromwell and his wife, Lucille Cromwell, their heirs, executors and administrators, to file suit against the State of Texas and/or County of San Patricio and/or State Highway Department of Texas in the District Court of San Patricio County, Texas; and to impose liability on the State of Texas for the negligence of its agents, officers or representatives for damages proximately caused by such negligence to

the above named claimants, growing out of an automobile accident on the public highway running from Sinton to Taft, Texas, and providing for process in such suit upon the Attorney General of Texas, and any judgment to be paid out of the State Highway fund and from the monies received from motor vehicle registration fees; providing further that the invalidity of one part of the Act should not render invalid other provisions; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 876, A bill to be entitled "An Act repealing Article 500 of the Revised Civil Statutes of Texas, 1925; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 877, A bill to be entitled "An Act repealing Article 501 of the Revised Statutes of Texas, 1925."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 878, A bill to be entitled "An Act amending Article 502 of the Revised Statutes of Texas, 1925, providing the method of conversion of State banking corporations into National banking corporations, and validating purported conversions of National banking corporations under

prior law; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 879, A bill to be entitled "An Act to amend House Bill No. 546, Acts of the 40th Legislature, 1927, page 289, Chapter 202, Section 1, providing for the amendment of the charter of corporations organized under the provisions of Title 16, of the Revised Statutes of Texas, 1925, for the purpose of increasing or decreasing capital stock, to change name, to adopt trust powers and for any other lawful purpose, including the extension of time of corporate existence for a period of not exceeding fifty years from the effective date of amendment, and providing for the adoption of the powers of commercial banks and banks and trust companies by Morris Plan Banks through amendment of its charter, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 880, A bill to be entitled "An Act providing for the preservation of bank examiners' reports and correspondence files and for the preservation of the books, records and files of insolvent banks, and further providing for the destruction of such reports and correspondence and sale or destruction of such books, records and files of insolvent banks; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 882, A bill to be entitled "An Act providing that it shall not be unlawful for any person to catch, trap, shoot, or kill any wild fox in Robertson County, Texas, but making it a misdemeanor to sell or offer to sell the pelt or pelts thereof and providing a penalty; providing that it shall not be unlawful for any person to shoot, kill, or to set a steel trap, snare, or deadfall for the purpose of taking any other fur-bearing animal in Robertson County, Texas, nor to sell the pelt or pelts thereof; making the provisions of this law cumulative of all general laws on the subject not in conflict herewith and repealing all laws in conflict with the provisions of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 889, A bill to be entitled "An Act authorizing the Commissioners' Court in any county having a population of not less than Twenty Thousand, Five Hundred and Fifty-six (20,556) and not more than Twenty Thousand, Five Hundred and Fifty-eight (20,558), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling in connection with the use of his automobile on official business; requiring each such Commissioner to pay the expense of operation and repair of such automobile so used by him without further expense to the County; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 894, A bill to be entitled "An Act defining the jurisdiction of the County Court of Navarro County and diminishing its civil jurisdiction; providing that the District Court of Navarro County shall have jurisdiction in all civil matters over which by law the County Court would have original jurisdiction; providing for the transfer of certain civil causes from the County Court to the District Court of Navarro County; providing the Act shall not affect judgments heretofore rendered by said County Court in causes now transferred to the District Court of said County; providing for the repeal of all laws in conflict therewith."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 897, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each County Commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as County Commissioner; providing for the payment of the same; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 899, A bill to be entitled "An Act to provide for traveling expenses for members of the Commissioners courts in certain counties; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 900, A bill to be entitled "An Act to amend Senate Bill No. 220, Chapter 354, Acts of the Regular Session of the Forty-second Legislature, page 844, by adding a new section thereto to be known as Section 3a following Section 3, so as to authorize expenses in the investigation of crime and an allowance of four cents (4¢) a mile for each mile traveled, to the criminal district attorney in counties operating under such Act; providing that such expenses shall be paid by the commissioners' court as other expenses are paid; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 901, A bill to be entitled "An Act making it unlawful to offer for sale eggs which have been placed in an incubator for hatchery purposes without labeling such eggs as 'incubator eggs'; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 902, A bill to be entitled "An Act amending Section 17a of Chapter 280, Acts of the Regular Session of the Forty-first Legislature, amending Chapter 25, Acts of the Regular Session of the Thirty-

ninth Legislature; providing that water control and improvement districts may purchase, own and operate fire engines and all necessary fire-fighting equipment and appliances; validating all purchases of fire engines, equipment and appliances heretofore made by water control and improvement districts; providing that nothing in this Act shall amend, alter, repeal or modify Senate Bill No. 299 or Senate Bill No. 300, Acts Regular Session, Forty-seventh Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 903, A bill to be entitled "An Act prescribing the manner of taking fish in Marshall Ford Lake in Burnet County and the Colorado River to the headwaters of Marble Falls Lake in Burnet County; prescribing a penalty for a violation of this Act; repealing all laws in conflict with this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 905, A bill to be entitled "An Act fixing the compensation of sheriffs in all counties of the State of Texas having a population of not less than twenty-five thousand, five hundred and forty (25,540) and not more than twenty-six thousand and fifty (26,050), according to the last Federal Census, in which there are no district attorneys; providing for the appointment by such sheriffs of such counties of at least one (1) special deputy sheriff and one (1) deputy sheriff; prescribing the powers and duties of such deputies; fixing the compensation therefor; pro-

viding mode and manner of payment of such salaries; providing that this Act shall be cumulative of all other acts not in conflict herewith; repealing all laws and parts of laws in conflict to the extent of the conflict only; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 910, A bill to be entitled "An Act to amend Chapter 166 of the Acts of the Regular Session of the Forty-fourth Legislature, appearing as Article 7246A of Vernon's Civil Statutes, so that the same shall read and provide as hereinafter shown, that is as the same now reads, and by adding a section thereto fixing the authority and duties, in certain enumerated cases, of assessors and collectors of taxes in counties having a population of more than Five Hundred Thousand (500,000) inhabitants according to the last preceding or any future Federal Census, by authorizing the making of certain oaths and affidavits before such assessors and collectors of taxes and their deputies; providing for the issuance of certain receipts or certificates by such assessors and collectors of taxes and their deputies, fixing fees for all such acts, providing that such fees shall be fees of office and accounted for as such; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 914, A bill to be entitled "An Act to amend an Act of the Forty-fourth Legislature, creating a Special Road Law for Childress County, Texas, being Chapter 435, of the General and Special Laws passed by the Forty-fourth Legislature, at its

Second Called Session in 1935, by adding thereto four new sections, authorizing Childress County to fund or refund the warrant indebtedness outstanding against its Road and Bridge Fund as of April 10, 1941, by the issuance of refunding bonds, and setting forth the method of operation; validating all acts of the Commissioners Court and of the county officials in authorizing, executing, and delivering said warrants; providing that this Law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 920, A bill to be entitled "An Act authorizing the Commissioners Court in any county having a population of not less than Twenty-nine Thousand, Seven Hundred and Sixty (29,760) and not more than Twenty-nine Thousand, Nine Hundred and Sixty (29,960) inhabitants, according to the last preceding Federal Census, to lease any county hospital belonging to said county, and providing for the terms of said lease; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 923, A bill to be entitled "An Act amending Article 3259 of the Revised Civil Statutes of Texas, of 1925, as amended by Acts 1939, Ch. 1, p. 429, H. B. 539, relating to Waco State Home, by changing the

maximum number of children that may be boarded, at any given time, to twenty (20) such children; emergency clause."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 925, A bill to be entitled "An Act declaring an open season on killing of Golden Eagle or Mexican Brown Eagle in the State of Texas; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 928, A bill to be entitled "An Act amending Section 4 of Chapter 290, Acts of the 41st Legislature, as amended by Section 1 Chapter 130, Acts of the 45th Legislature, so as to provide for a separate Board of Trustees for all Municipal Colleges in the State of Texas, organized prior to the year 1923, and providing the method of electing said Board of Trustees and providing for the powers and duties of said Board; repealing all laws in conflict therewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 931, A bill to be entitled "An Act declaring it unlawful for any person to kill, take, or have in his possession for purpose of sale in Angelina and Taylor Counties any wild fox or the pelts thereof, providing that this law shall be enforced

for a period of two (2) years; providing various exemptions and exceptions; prescribing a penalty for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 933, A bill to be entitled "An Act to prohibit the use in Fort Phantom Hill Lake of Jones and Taylor Counties of certain devices for catching fish; to limit the size and number of fish to be caught; to prohibit the taking of any fresh water fish during the months of February, March or April to prohibit the taking of any catfish during the months of March, April, May and June; to regulate the taking of minnows; providing a penalty; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 939, A bill to be entitled "An Act validating and approving all acts of the governing bodies of cities and towns of the State of Texas operating under the provisions of the General Laws of Texas and having a population of more than five thousand (5,000) in the issuance and sale of bonds, to aid in financing certain public improvements for which a loan or grant has been made by any agent or agency of the United States Government, including election orders, notices of elections, returns of elections, and orders canvassing election returns, including among others, instances wherein there have been irregularities in the giving of notice of elections, notwithstanding the fact that the notice of election was not pub-

lished on the same day in each of two successive weeks; validating such bonds and the tax levies made for the payment of such bonds; providing the provisions hereof shall not apply to any such proceedings or obligations the validity of which has been contested in any pending suit or litigation; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 946, A bill to be entitled "An Act creating a Special Road Law for Crosby County, Texas, providing that said county may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of April 10th, 1941, by the issuance of funding bonds; providing that items of indebtedness as of said date, in the form of scrip, or time warrants, may be included in such funding bond issue; setting forth the method of issuing such funding bonds; validating all acts of the Commissioners' Court and of the county officials of said county in issuing said scrip or warrants; validating said scrip or warrants; providing that the General Laws pertaining to roads and bridges shall be applicable to said county when not in conflict with the provisions hereof; repealing all laws and part of laws in conflict herewith, enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 947, A bill to be entitled "An Act creating a special road law for Yoakum County, Texas; providing that said County may fund or

refund into coupon bonds the scrip and time warrants outstanding against its road and bridge fund as of the 12th day of May, 1941; setting forth the method of funding or refunding; validating all acts of the Commissioners' Court in issuing said scrip and time warrants; validating said scrip and time warrants; providing that the general laws of the State of Texas shall be applicable to Yoakum County when not in conflict herewith; providing this Act shall be cumulative of all General and Special Laws not in conflict herewith; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 953, A bill to be entitled "An Act amending Chapter 76, passed at the First Called Session of the Forty-third Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 956, A bill to be entitled "An Act amending Chapter 7, Title 93, of the Revised Civil Statutes of Texas, as amended, by adding a new article to be numbered Article 5708a, providing for the appointment of county sealers and deputy county sealers of weights and measures, at the discretion of the commissioners court, in any county having a population of not less than 69,000 and not more than 70,000 according to the last or any succeeding United States Census; providing that the salaries for such county sealers and deputy sealers shall be set by the commissioners court and not to be less than \$1500 a year; providing that no fee shall be charged by such sealers or by the

county; defining the authority, duties and responsibilities of such county sealers and deputies; providing that two or more counties, or a county and a city situated therein, may combine the whole or any part of their district, for the purpose of appointing one sealer, upon the written consent of the Commissioner of Agriculture; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 957, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts having a scholastic population, according to the 1940-1941 scholastic census, of not less than 775 and not more than 785 approved scholastics, whether such school district is organized under general or special law; provided, that no such tax shall be levied, collected, abrogated, diminished, or increased, and no bonds shall be issued hereunder, until such action has been authorized by a majority of the votes cast at an election held for such purpose; prescribing the qualifications of voters eligible to vote in such election; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 958, A bill to be entitled "An Act conferring upon the Board of Directors of the Agriculture and Mechanical College of Texas the power of eminent domain to acquire land for the use of the college; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 959, A bill to be entitled "An Act authorizing the Commissioners Court in Jackson County to allow each County Commissioner certain expenses in connection with the performance of the duties as Road Commissioner in addition to the duties as County Commissioner; providing for the payment of the same; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 960, A bill to be entitled "An Act authorizing the Commissioners Court in all counties having a population of not less than thirty-seven thousand, five hundred (37,500) and not more than thirty-eight thousand, two hundred and fifty (38,250), according to the last preceding Federal Census, to allow each County Commissioner certain traveling expenses while traveling on official business; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills to whom was referred

H. B. No. 974, A bill to be entitled "An Act to amend Section 18, Chapter 41, Acts of the 40th Legislature, First Called Session, as amended by Section 2 of House Bill No. 614, Acts of the Regular Session of the 46th Legislature, to provide that any citizen of Texas wishing to file the record of any birth, not previously registered, may submit such record to the Probate Court in the county where such person resides rather

than where the birth occurred, as now required; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed bills to whom was referred

H. B. No. 975, A bill to be entitled "An Act for the purpose of better conserving the game and fish resources of Aransas County by providing for the closure of a certain area in Aransas Bay to the use of the oyster dredge, making it unlawful to dredge in such area; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed bills to whom was referred

H. B. No. 978, A bill to be entitled "An Act repealing House Bill No. 386 of the Regular Session of the 47th Legislature; amending Section 3 of House Bill No. 12 of the Second Called Session of the 42nd Legislature so as to permit fishing for certain species of fish in McLennan County during the month of February of any year; repealing all laws or parts of laws in conflict with the provisions of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 980, A bill to be entitled "An Act to amend Article 880 of the Penal Code of the State of Texas, as amended by Chapter 47, Acts of the Second Called Session of the

Forty-fifth Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 7, Proposing an Amendment to the Constitution of the State of Texas to provide free textbooks for children of scholastic age attending any church or parochial school or academy, or any orphan asylum in Texas, at the election of such school to use such textbooks; providing for an election to vote on the proposed amendment; providing for proclamation and publication.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 21, Proposing an Amendment to the Constitution of the State of Texas providing for a Supreme Court of nine (9) members; providing certain qualifications for Justices of the Supreme Court; providing for division of the State into Supreme Court Districts by the Legislature; providing for election to vote on said amendment; providing for proclamation and publication; and making an appropriation therefor.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 29, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 106, Granting an easement for street, boulevard, and highway purposes to the City of Austin.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 92, Granting permission to Mrs. Mamie Scherrer and husband, Emil Scherrer, their heirs, executors, administrators, and assigns to bring suit against the State of Texas.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 109, Authorizing the Enrolling Clerk of the House of Representatives to correct the caption of House Bill No. 247.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 111, Recalling House Bill No. 371 from the Governor.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 454, A bill to be entitled "An Act creating and providing for a Merit System Council; defining certain terms; providing qualifications for members of the Council and for their terms of office; providing for the Council's organization and meetings, and the compensation

of members, providing its duties and powers; permitting State agencies to expend State and Federal funds for services rendered by the Merit System Council; appropriating Federal funds for use for the purposes for which they were granted; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 969, "An Act providing that the closed season on fishing in Blanco County shall be during the months of February, March, and April; repealing all laws or parts of laws in conflict with this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 439, "An Act providing a closed season on wild deer and wild turkey in Williamson County, Texas; and providing penalties for the violation of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 757, "An Act creating a special road law for Hartley County, Texas; authorizing the Commis-

sioners Court to issue funding or refunding bonds or warrants in lieu of certain scrip warrants or time warrants, or both, and validating such warrants; providing the method of issuing the same; making it the duty of the Commissioners Court to levy a tax sufficient to pay principal and interest as they mature and accrue; making the General Laws pertaining to roads and bridges applicable to Hartley County, Texas, and providing that the provisions of this Act shall be effective in case of conflict with any General or Special Law; providing that if any portion of this Act shall be held invalid, such holding shall not affect the other portions hereof; enacting other provisions relating to the subject; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 146, "An Act authorizing the City Council of home rule cities or the Commissioners Court in all counties in the State of Texas to appropriate from the General Fund not more than five (5) cents on the one hundred dollars assessed valuation, for the purpose of advertising and promoting the growth and development of the home rule cities or counties, and providing for an election authorizing such appropriation; providing said appropriation to constitute a separate fund to be known as the Board of Development Fund; limiting the amount to be appropriated; and creating and providing for the appointment of a Board of Development, devoted to the growth, advertisement, and development of such home rule cities or counties; prescribing certain duties for said Board; making the Act cumulative of other laws authorizing such cities or counties to appropriate money; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 56, Appointing a committee of six (6) members of the State Legislature to investigate the feasibility and probable cost of fire-proofing the State Land Office Building.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 56, "An Act to extend the time for the payment of all notes or obligations executed by purchasers of school land for the unpaid balance of principal due the State thereon until November 1, 1951; amending Article 5312, Revised Civil Statutes, 1925; amending Article 5326, Revised Civil Statutes, 1925; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 16, "An Act amending subdivision 83 of Article 1302, Title 32, Chapter 1 of the Revised Civil Statutes of the State of Texas, 1925, relating to the formation of private corporations to organize laborers, working men, wage earners, and farmers to protect themselves in their various pursuit; vesting authority in the Commissioner of Labor Statistics to make investigation for charters for laborers, working men, and wage earners; making a specific exception as regards farmers; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 10, "An Act amending Article 349 of the Penal Code of the State of Texas; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills to whom was referred

H. B. No. 8, A bill to be entitled "An Act levying and allocating certain taxes, and providing revenues for the payment of old age assistance, aid to destitute children, aid to needy blind, obligations of the State under Teachers Retirement Act, and paying other expenses and obligations of the State; containing Article I amending Section 2 of Chapter 162, Acts, Regular Session, Forty-third Legislature, as amended by Acts, Forty-third Legislature, First Called Session, Chapter 12, Section 1, as amended by Forty-fourth Legislature, Third Called Session, Chapter 495, Article 4, Section 4, levying an occupation tax upon the production and salvage of oil within this State, defining certain terms, establishing the liability for said tax, providing for the computation, collection, administration and allocation thereof, the keeping and making of records and reports, providing for penalties and interest and the effective date of said amendment; containing Article II amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9, Chapter 73, Acts of the Regular Session of the Forty-second Legislature, as amended by Chapter 495, Article 4, Section 8, Acts, Third Called Session of the Forty-fourth Legislature as amended by Chapter 3 and Chapter 4 of Subdivision II of the Title "Taxes and Taxation" of the Acts of the Regular Session of the Forty-sixth Legislature, levying certain occupation taxes on natural and casing-head gas within this

State, and a tax upon the first sale in intrastate commerce of gas imported into this State, providing exemptions from said tax, defining terms, establishing the liability therefor, providing for the collection, enforcement, payment, and administration thereof, and making an allocation and appropriation for same, providing for the credit of excess taxes paid through error, providing for certain penalties, interest, attorney's fees and court costs, providing for records and reports and computation of the tax, providing the powers, duties and authority of various State officers, authorizing injunctive relief, and fixing venue, providing for a prior lien on certain property and its enforcement for delinquent taxes, penalties and interest, providing for the creation of a gas audit fund, and the moneys to be placed therein and their disbursement, authorizing suits for collection of all sums due, and fixing venue, providing a tax on certain liquid hydrocarbons, providing that pending lawsuits and certain contracts or lease agreements shall not be affected, providing that certain records, reports and audits shall be admissible in judicial proceedings and shall be prima facie evidence of the contents thereof, with certain limitations and the use and effect of such instruments as exhibits, providing for the making of certain affidavits by the Comptroller and their effect, providing for notice of change of ownership or control of leases, making violation of certain provisions of the Act a misdemeanor and providing the punishment therefor; containing Article III repealing Chapter 74, Acts, Fifth Called Session, Forty-first Legislature, and House Bill No. 251, Chapter 212, Section 1, Acts of the Regular Session of the Forty-second Legislature and by Acts, Forty-fourth Legislature, Third Called Session, Chapter 495, Article 4, Section 6, except as to sulphur produced prior to the effective date of this Act, and providing an occupation tax upon the production of sulphur, providing for the computation, collection and enforcement of the tax and the making, keeping, preserving and filing of reports and records and their inspection, providing certain penalties and interest, defining terms, provid-

ing powers, duties and authority of certain officials; containing Article IV amending Article 7070, Revised Civil Statutes of Texas, 1925, as amended by Acts, Third Called Session, Forty-fourth Legislature, 1936, Chapter 495, Article 4, Section 1, House Bill No. 8, by providing classification and prescribing the rate of tax therefor, providing a limitation upon cities or other political subdivisions levying an occupation tax or charge upon those subject to this Article; containing Article V amending Article 7080 Revised Civil Statutes of Texas, 1925, as amended by Chapter 34, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Article IV, Section 3, Chapter 495, Acts of the Third Called Session of the Forty-fourth Legislature by providing increased rate of taxation and providing for the payment of gross receipts taxes in towns of over one thousand (1,000) and less than two thousand, five hundred (2,500) inhabitants; prohibiting cities and other political subdivisions from levying an occupation tax or charge of any sort on utilities taxed hereunder, except such ad valorem taxes as are authorized by law; providing that this Article shall not be construed as altering or impairing contracts or franchises; providing that where otherwise lawful cities may, by ordinance, levy a charge not to exceed two (2) per cent of gross receipts for the use of streets, alleys and public ways by a utility, and providing for certain credits thereon for payments made to cities under a contract or franchise; and providing that hereafter utilities taxed under this Article shall not pay the license fee imposed in Article 5a, House Bill No. 18, Chapter 400, Acts of the Forty-fourth Legislature, for the privilege of selling gas or electric appliances and parts for the repair thereof in towns of three thousand (3,000) or less; containing Article VI levying a tax upon every retail sale of every motor vehicle sold in this State; levying a use tax upon every motor vehicle purchased at retail sale outside of this State and brought into this State for use upon the public highways thereof by a resident of this State, or by firms or corporations domiciled or doing business in this State; defining the terms "sale,"

"retail sale," and "motor vehicle"; providing that the tax levied under such Article shall be in addition to any and all license fees and taxes imposed under the laws of this State; providing for the collection and payment of said tax and the issuance of receipts therefor and providing for the distribution of the money collected; containing an Article VII, with Section 1 thereof, amending Section 21 of Article I, Chapter 467, Acts of the Second Called Session, Forty-fourth Legislature, as amended by Section 3, Article III, House Bill No. 8, Chapter 495, Acts, Third Called Session, Forty-fourth Legislature, and as further amended by Section 26 of Article I of Chapter 448, being House Bill No. 5, Acts, Regular Session, Forty-fifth Legislature levying certain taxes on liquors, and Section 2 thereof requiring stamps for distilled spirits to be furnished at a discount when purchased in large lots, and Section 3 thereof making certain provisions for the use and allocation of such taxes, and Section 4 thereof providing that the tax shall apply to all liquors held for the purpose of sale, requiring an inventory thereof and providing penalties, civil and criminal, for failure to render such inventory, and Section 5 thereof providing for the furnishing of stamps, and that unstamped liquors are illicit and subject to seizure and the person in possession subject to prosecution, and Section 6 thereof authorizing the Texas Liquor Control Board to make rules and regulations, Section 6a appropriating Twenty-five Hundred Dollars (\$2500) to defray costs of printing stamps, and Section 7 providing the effective date; containing Article VIII amending Article 7084 of Chapter 3 of Title 122 of the Revised Civil Statutes of Texas of 1925, as amended by Acts, 1930, Forty-first Legislature, Fifth Called Session, page 220, Chapter 68, Section 2, as amended by Acts, 1931, Forty-second Legislature, page 441, Chapter 265, Section 1, by defining certain terms, prescribing the rate of tax and the minimum tax, providing for the method and manner of computing said tax and a minimum basis of computation, removing certain corporations from the provisions of paragraph (b) of said Statute,

providing present total exemptions shall not be affected, providing the rate for public utility corporations and setting a minimum basis for value for computation, limiting the effectiveness of the Act and providing that Chapter 86, page 161, Forty-fifth Legislature, Acts, 1937, shall not hereby be changed, altered or amended; providing for the immediate effectiveness of this amendment and the making of supplemental reports and payment of supplemental tax from the effective date of this Act to May 1, 1942, providing for forfeiture of right to do business and authorizing the Secretary of State to promulgate rules and regulations; containing an Article IX amending Article I, Chapter 467, Second Called Session, Forty-fourth Legislature, as amended, adding a new Section levying a stamp tax on liquor prescriptions and providing means and manner of collection and enforcement thereof, making it unlawful to sell any liquor on an unstamped prescription, allocating the funds, making an appropriation for certain administrative purposes, and providing effective date; containing an Article X levying a luxury excise tax on playing cards and on new radios and new cosmetics, providing authority and means for the collection and enforcement thereof, also requiring the filing of reports, making the failure to file such reports a misdemeanor and providing punishment therefor, making it perjury to file false reports and imprisonment in the penitentiary for one (1) to three (3) years the punishment, setting aside an enforcement fund, and providing allocations; containing Article XI levying an occupation tax on the manufacturing or producing of Class A and Class B carbon black in this State; defining "Class A" and "Class B" carbon black; defining market value, providing for the collection of said tax; providing for the method of computing the tax; providing for the keeping of records by the distributor; providing for injunctions and fixing venue; providing for penalty and interest and giving the State a lien; defining the term "carbon black"; providing that this tax is in lieu of the tax imposed by Section 7 of Article 4 of House Bill No. 8, Chapter 495, Acts, Third Called Ses-

sion, Forty-fourth Legislature, repealing same except as to all carbon black manufactured as produced prior to the effective date of this Act; providing how the tax shall be allocated; containing Article XII amending subsection (a) of subsection 41 of Chapter 212 of Acts of the Regular Session of the Forty-second Legislature; containing Article XIII amending Article 7105, Revised Civil Statutes, 1925, as amended by Acts, 1933, Forty-third Legislature, page 409, Chapter 162, Section 12, to include therein motor bus companies and common carrier motor carriers; defining terms; providing for the apportionment of said tax on motor bus companies and common carrier motor carriers and exempting Electric Interurban Railway Corporations from this Article, containing Article XIV levying an occupation tax on motor bus companies, motor carriers and contract carriers; defining terms; providing for the collection thereof; exempting from the provisions of Article XIV of this Act carriers of persons or property who are required to pay an intangible assets tax; exempting from the provisions of said Article individuals, partnerships, companies, associations, or corporations engaged exclusively in the business of transporting logs or timber in its natural state; containing a saving clause; providing that the tax levied hereunder is in addition to other fees and ad valorem taxes otherwise assessed; providing for the allocation of said taxes; containing Article XV, levying a tax on all sales, agreements to sell, or memoranda of sales, and all deliveries or transfers of shares, or certificates of stock, or certificates for rights to stock, or certificates of deposit representing an interest or representing certificates made taxable under Section One (1) in any domestic or foreign association, company, or corporation, or certificates of interest in any business conducted by trustee or trustees, on each One Hundred Dollars (\$100) of face value or fraction thereof, three (3) cents, except where shares or certificates are issued without designated monetary value the tax shall be three (3) cents for each share; imposing the duty on the person or persons making or effectuating the sale or

transfer to procure, affix and cancel stamps and pay the tax; providing certain exemptions; providing that a certificate setting forth facts shall accompany certain transactions; providing manner for indicating payment of tax; providing method and manner for affixing and cancellation of stamps; providing for the making, delivering and context of a bill or memorandum of sale and a duplicate thereof; providing that Comptroller shall prepare adhesive stamps in such form, denomination and quantities as he may prescribe and for the sale thereof; providing that the County Clerk of each county is made the agent of the Comptroller for the purpose of making sale of such stamps, under such regulations as may be prescribed by the Comptroller; making certain acts relating to sales and transfers without fixing stamps a misdemeanor and providing punishment therefor; making it a misdemeanor for failure to cancel the stamp or stamps in the manner prescribed herein and providing the punishment therefor; defining certain misdemeanors in relation to the handling, removing or counterfeiting of stamps and providing a penalty therefor; providing for records; providing the manner of evidence of payment of the tax; providing for the examination of records and the bringing of suits for collections of tax and penalty; defining certain misdemeanors in connection with the keeping of records and prescribing penalties therefor; providing certain transfers on which the tax has not been paid shall not be made the basis of any action or legal proceedings nor shall proof thereof be received in evidence; providing certain penalties for failure to comply with the provisions of this Article; providing for the recovery thereof by suit and providing that the money so collected shall be paid into the State Treasury; providing for the recovery of money erroneously paid hereunder and providing for certain exemptions from this Article; containing an Article XVI, an addition to Chapter 2 of Title 122, Revised Civil Statutes of Texas of 1925, levying a tax upon certain services performed in connection with the cementing of the casing seats of oil and gas wells, the shoot-

ing and acidizing of such wells and the surveying and testing of the sands or other formations of earth in such wells; requiring the making and keeping of reports and records; providing penalties for violations; fixing liens to secure; containing a severability provision; containing an Article XVII levying an occupational or excise tax on the first sale, distribution, or use of motor fuel in this State with certain exceptions, exemptions, and deductions; defining certain words, terms, and phrases; requiring the distributor making the first sale or distribution to collect said tax from the purchaser or recipient of said motor fuel and to pay to the State of Texas the tax so collected and the tax on motor fuel used by said distributor; providing that the tax so collected shall be added to selling price upon each subsequent sale so that such tax is ultimately paid by the person using or consuming said motor fuel for the purpose of generating power for the propulsion of any motor vehicle upon the public highways; requiring the tax to be posted separately from price of motor fuel wherever sold in this State; providing that said tax shall be in lieu of any other occupational or excise tax imposed by the State or any political subdivision thereof on the sale, distribution or use of motor fuel; fixing the time and manner of payment to the State of the tax collected upon the sale and distribution and accruing upon the use of motor fuel; requiring reports to be made and filed with the Comptroller by distributors and other persons selling motor fuel and setting forth the information to be contained in said reports; authorizing the Comptroller to audit distributors, dealers, and other persons; providing that said tax shall be collected for the use and benefit of the State of Texas and prescribing a felony and fixing the penalty for wilfully failing or refusing to pay any tax so collected to the State of Texas on or before the date such payment is due; prescribing a felony and fixing the penalty upon certain persons who shall fraudulently misapply or convert to their own use tax funds collected for the use of and required to be paid over to the State of Texas; providing that the Comptroller may

authorize the sale or distribution of certain taxable products, without collecting said tax, to bonded and licensed distributors for certain purposes, and requiring the distributor purchasing said products to keep records, make reports, and issue manifests for such sales and to pay the tax levied upon any subsequent taxable sale of said products; providing that an application shall be filed and a distributor's permit obtained as a prerequisite to engage in the selling, distributing, or using of motor fuel upon which a tax is required to be paid and setting forth the information to be contained in said application and permit; requiring distributors to furnish a surety bond or in lieu thereof to deposit cash or acceptable securities in the Suspense Account of the State Treasurer, conditioned upon and guaranteeing the faithful compliance with the provisions of this Article; setting forth the terms, conditions, and limitations of said bonds and provisions of the Article applicable to said bonds and the sureties thereon; authorizing the Comptroller to require distributors to make reports and pay taxes collected and accruing at fixed intervals shorter than one month in the event a maximum bond shall become insufficient; providing that all taxes, penalties, interests, and costs due, or required to be paid, to the State by a distributor shall be secured by a preferred lien, first and prior to any and all existing liens, contract or statutory, legal or equitable, upon all the property of said distributor, including all cash, accounts and notes receivable, and all other property devoted to or used by said distributor in his business as a distributor; requiring and regulating the keeping of records for a period of two (2) years by distributors and dealers and describing said records to be kept; requiring persons transporting any product required to be recorded upon a manifest to carry said manifest covering his cargo at all times, with exceptions, and requiring the issuance of a manifest upon each subsequent sale from said cargo; requiring and regulating the records and reports to be made and kept by common and contract carriers; providing that certain products shall be collected

and conserved for sale, distribution, or use, or shall be neutralized or destroyed to prevent their use as motor fuel; providing for refund of tax upon motor fuel used for purposes other than propelling a motor vehicle upon the public highways and requiring persons who sell motor fuel for refund purposes to file an application for and to obtain a refund dealer's license from the Comptroller as a prerequisite to such sales; prescribing penalties for violation of the refund section and prohibiting the issuance of warrants in payment of refunds under certain conditions; providing for the issuance of invoices of exemption by the Comptroller to be used and accounted for by refund dealers; describing the information to be contained in invoices of exemption and providing for the filing of refund claims and the information to be contained in said claims; providing for a filing fee and appropriating the same; imposing a tax upon the use of liquefied gases and other liquid fuels when used to propel a motor vehicle upon the public highways, and requiring users of such products to obtain a permit or certificate thereof and furnish a bond for each vehicle using said products, with exceptions; prescribing the form, terms, and conditions of said bond and setting forth the provisions affecting said bonds and the sureties thereon; requiring users of said products to keep records, make reports and pay the tax to the Comptroller, and describing the information to be contained in said reports; providing that all taxes, penalties, interest, and costs shall be secured by a preferred lien, first and prior to existing liens, upon the motor vehicle using said liquefied gases or other liquid fuels; prohibiting the sale of said products to any person not holding and exhibiting a valid permit or certificate thereof; prohibiting the connection from cargo tanks to carburetor of motor vehicles; authorizing the Comptroller and his authorized representatives to inspect premises and the equipment thereon where motor fuel, crude petroleum, natural gas, or any derivatives or condensates thereof, are produced, made, stored, transported, sold, or offered for sale or exchange, to examine all books and records

and take samples of all such products; authorizing the Comptroller to cancel or refuse issuance, extension, or reinstatement of any permit, license, or certificate, after hearing, for certain causes; providing for the time, place, and manner of said hearing and providing that all taxes collected or accrued shall become due and payable forthwith upon the cancellation of any permit or license; providing any aggrieved permittee or licensee shall have the right of appeal to the District Court of Travis County and describing the procedure in such appeals; providing for the observances of certain procedure in suits filed for taxes, penalties, and interest due or past due or for taxes collected and not paid to the State; providing that reports or certified copies thereof filed with the Comptroller by a distributor or any audit made by a representative of the Comptroller from books and records of said distributor or from certain persons with whom said distributor has transacted business when properly certified to by the Comptroller or his Chief Clerk shall be admissible as prima facie evidence in said proceedings; provided, however, said prima facie presumption may be overcome by evidence adduced by the defendant; imposing certain penalties and forfeitures against and upon persons violating or failing to comply with provisions of this Article and providing for the recovery of said penalties and forfeitures by suits; fixing venue for any suit, injunction, or other proceeding at law for the collection of delinquent taxes, penalties, and interest accruing hereunder and the enforcements or the provisions of this Article; prescribing penalties and interest for failure to remit taxes collected or to pay taxes due upon the date required hereunder; providing that before a restraining order or injunction shall issue the applicant therefor shall pay into the Suspense Account of the Treasurer or furnish a surety bond to cover the taxes shown to be due by an audit of the Comptroller, and making Section 1, Chapter 310, Acts of the Regular Session of the Forty-fifth Legislature, applicable to such suits; providing that any proceedings to enjoin the enforcement of the provisions of this Article shall be in a

court of competent jurisdiction in Travis County, Texas; authorizing the Comptroller or his representative to measure, calibrate, and determine the capacity of any vehicle tank or container in which certain taxable products are transported; providing the Comptroller with authority to promulgate rules and regulations for regulating such vehicle tanks and containers; providing for the labeling and marketing of such tanks and containers; providing for the issuance by the Comptroller of a measurement certificate to be carried with such vehicle tanks and containers; prescribing penalties for violating or failing to comply with the provisions of this Section; providing for the impounding of motor vehicles transporting motor fuel or using liquefied gases or other liquid fuels in violation of the provisions of this Article; providing for the seizure and forfeiture of taxable motor fuel found in the possession or control of any person for the purpose of being sold, transported, removed, concealed, or used by him in fraud of the provisions of this Article, and providing for the seizure and forfeiture of any motor vehicle used to transport such motor fuel and all equipment and paraphernalia or other tangible personal property used for or incident to such violations; providing for the court proceedings to be followed to perfect said forfeiture and proper procedure if defendant unknown or a non-resident; requiring appraisal and written report by Comptroller of property seized; providing for the sale of such property after judgment and allocating funds received from such sales; authorizing summary proceedings for sale of property under certain appraised value unless claimant files claim with Comptroller and posts bond to have forfeiture proceeding instituted and tried in court as provided by law; providing the forfeiture and sale of such property shall not serve to release defendant from criminal prosecution for any violation of this Article; authorizing Comptroller to waive forfeiture proceedings and require offender to pay a penalty of twice the amount of the tax due; providing that the Comptroller may require payment of tax and a penalty when motor fuel has been sold without payment of the tax levied herein;

authorizing the Comptroller to promulgate rules and regulations and prescribing the manner of advertising notice of hearing and publishing such rules and regulations adopted; providing that the Comptroller or any duly authorized representative shall have the power to issue subpoenas, compel the attendance of witnesses, administer oaths, certify to official acts and compel the production of pertinent books, accounts, records and documents, providing that the district court having jurisdiction shall issue proper summons to witnesses who fail or refuse to obey any subpoena issued by the Comptroller; providing for punishment for contempt after hearing; appropriating funds for the enforcement of the provisions of this Article; allocating tax funds collected; prescribing a misdemeanor penalty and fixing punishment for certain violations of this Article; prescribing a felony penalty and fixing punishment for certain violations of said Article; providing that a conviction of a felony under Section 27 shall automatically forfeit the right of the offender to obtain a permit or license for two (2) years thereafter; fixing venue, and providing that the penalties prescribed in Section 27 shall apply and control over penalties prescribed in Section 26; repealing Chapter 44, Regular Session of the Forty-third Legislature, as amended by Chapter 240, Regular Session of the Forty-fourth Legislature, as amended by Chapter 3 and Chapter 8, Regular Session of the Forty-sixth Legislature, and all other prior or existing Motor Fuel Laws, and providing this Act shall prevail over all laws or parts of laws that conflict herewith; providing that all taxes, penalties, and interest accruing to the State of Texas by virtue of any prior or existing Motor Fuel Laws before the effective date of this Act, shall be preserved and shall remain valid and binding obligations and all liens, bonds, and other obligations created shall remain in full force and effect; the punishment of offenses committed and the recovery of fines and forfeitures incurred under prior or existing Motor Fuel Laws shall take place as if the laws repealed had remained in force; providing that if any section, subsection, sentence, clause, or phrase is held

to be invalid or unconstitutional for any reason such decision shall not effect the remaining portions of this Act; and containing Article XVIII amending Article 7064, Revised Civil Statutes of Texas of 1925, as amended; amending Article 7064a, Revised Civil Statutes of Texas of 1925, as enacted by House Bill No. 8, Third Called Session, Forty-fourth Legislature, and as amended; and amending Article 4769, Revised Civil Statutes of Texas of 1925, as amended; and containing Article XIX amending Section 5, House Bill No. 18, Chapter 400, Acts of the Forty-fourth Legislature, First Called Session, 1935, by exempting certain additional plans of business from the operation of the Act; providing that this Act shall not affect taxes, license fees, interest and penalty now due and owing to the State of Texas and providing how the tax should be allocated; containing an Article XX allocating revenues, other than that part allocated for enforcement purposes derived from the taxes collected under Chapter 241, Acts, Regular Session, Forty-fourth Legislature, also allocating all the revenues derived and collected under the provisions of this Act, naming the various funds into which such revenues shall be deposited, and setting out the purposes for which same shall be used including assistance to the blind, to dependent and destitute children, the Teacher Retirement System and old age assistance; providing that such of said sums allocated to old age assistance as are not matched by the Federal Government shall not be expended for old age assistance but shall be paid into the General Revenue Fund of the State, along with other of such funds remaining in the Clearance Fund herein provided: containing an Article XXI fixing liens to secure payment of taxes, fines, penalties and interest, making purchasers of natural resources upon which a tax levied by this Act is due liable for such tax if he fails to deduct or withhold the amount thereof, preserving for the State all obligations, taxes, penalties and interest which have accrued by virtue of any law which is amended or repealed by this Act, providing that offenses committed or prosecutions commenced under any pre-existing law

may be prosecuted under the law as it existed at the time of the commission of the offense; containing a severability provision; limiting certain appropriations and allocations to departments; repealing laws and parts of laws in conflict; providing governing rules should there be conflicts in fines, penalties, forfeitures and penal offenses; and containing an emergency clause."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

April 30, 1941

House Bill No. 969.

May 1, 1941

House Bill No. 757.

House Bill No. 10.

House Bill No. 16.

House Bill No. 439.

House Bill No. 146.

House Bill No. 56.

House Concurrent Resolution No. 56.

SIXTY-SIXTH DAY

(Monday, May 5, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Brown
Allen	Bruhl
Allison	Bullock
Alsup	Bundy
Avant	Burkett
Bailey	Burnaman
Baker	Carlton
Bean	Carrington
Bell	Cato
Benton	Celaya
Blankenship	Chambers
Boone	Clark
Brawner	Cleveland
Bray	Coker
Bridgers	Colson, Mrs.